RETURN to an Address of the Honourable The House of Commons, dated 22 June 1874;—*for*,

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OF

MR. GEOGHEGAN'S REPORT

ON

COOLIE EMIGRATION FROM INDIA.

India Office, 1 July 1874.

H. L. ANDERSON,
Secretary, Public Department.

(*Mr. Edward Jenkins.*)

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NOTE ON EMIGRATION FROM INDIA,

BY J. GEOGHEGAN, Esq.,

Under Secretary to the Government of India, Department of Agriculture. Revenue, and Commerce.

INDIAN EMIGRATION.

INTRODUCTORY.

Object of the Note.

WHEN I returned from leave in 1871, I found that several cases connected with the emigration of labour from India of much interest and importance were either under consideration or likely soon to press for decision. The most prominent were the questions of the condition of emigrants in Réunion and in British Guiana. Under these circumstances, it appeared to me that it would be useful to compile a general history of the facts of emigration and of the policy pursued by the Government of India in regulating or controlling the flow of labour across the sea. I therefore began to have papers collected in May 1871; the task has, however, proved somewhat heavier than I expected, and this Note has taken nearly two years to finish. Imperfect as it is, it has involved a good deal of labour, for I have had to read a great mass of papers, which, when examined, yielded little of interest in comparison with their bulk. Indeed, in some cases I may be thought to have retained too much detail. In getting materials for the second part I have been much helped by Dr. Grant, the Protector of Emigrants at Calcutta. Indeed, without his kind assistance, that portion of the Note would have been very meagre indeed.

Plan of the Note.

I divide this Note into three parts. In the first I propose to trace the course of policy pursued by the Government of India in regard to emigration, as illustrated by the laws and regulations framed in India, or by the changes in the mode of dealing with Indian immigrants on the part of the several colonies which (when cognisant of them, for this was not invariably the case) it approved, or at any rate accepted, tacitly or otherwise. In the second part I will enter upon the facts of emigration as it affects the country and the emigrants themselves. In this part I will put together such information as is attainable in regard to the numbers emigrating, their sexes and ages, the tracts from whence they have been drawn, the classes and religions to which they belong, the mortality on the voyage, the number of return emigrants, and the amount of their savings, and the like subjects. In the third part I will endeavour, from the imperfect materials at hand, to sketch the present condition of Indian labourers in the several colonies to which they have emigrated.

PART I.

Earlier emigration from south of India; to the Malayan Peninsula; to Tenasserim; and to Ceylon.

The earliest emigration seems to have taken place from the southern portion of the continent. A Tamil exodus to the Straits Settlements had begun before the end of the last century. And soon after the conquest of the Tenasserim Provinces labour began to flow thither from the other side of the Bay of Bengal. The emigrants to the Straits Settlements were employed both as domestic servants and as agricultural labourers. In Burma the sphere of employment was confined to that of domestic service and the miscellaneous labour of mercantile ports. It is probable that Ceylon, too, from the date of its European colonisation, attracted labour from the south of India. But emigration across the Bay has hitherto been uncontrolled, while, as regards Ceylon, no sooner was the fact of the flow of labour thither ascertained, than emigration was, under certain guarantees on the part of the Colonial Government, freed from the prohibition to which it had for eight years been, in point of law, liable, but which had never been enforced. There is, therefore, no exact record of the number of natives of India who have emigrated in these directions; but it is very considerable, especially in the case of Ceylon. Recent papers

Such emigration uncontrolled by special law, and therefore no record of its numbers.

papers show that for the 10 hears ending 1869 an average number of 65,000 persons (of whom nearly 50,000 were adult males) emigrated annually from Madras to Ceylon. The average number returning in each year was upwards of 48,000. According to the latest accounts from Penang, there were in that settlement 25,000 natives of India out of a population of 150,000.

Emigration to places more distant.

Captain Birch, then Commissioner of Police, Calcutta, in his evidence before the Emigration Committee of 1838, said that he believed emigration to Mauritius and Bourbon to date from about 1819. But he admitted that he could not speak positively, and I have found nothing to show that such emigration commenced so early. The first instance I have traced belongs to the year 1830,* when a French merchant, by name Joseph Argand, carried some 130 artisans to Bourbon, the Government of India having, on view of the ordinances in force and the contracts made with the emigrants, permitted the departure of the latter, conditionally on each man appearing before one of the magistrates of Calcutta and acknowledging that he went voluntarily. The contracts, which were for a term of five years, looked liberal enough on paper, 8 rupees, in addition to an ample dietary, being fixed as the minimum monthly wage; but in 1832 a petition was received from two of the emigrants complaining that their wages had not been paid. Government, however, after consulting Mr. McFarlan, the police magistrate, who remarked that "it was possible enough the men might be claimed as slaves," came to the conclusion that the complaint was not a serious one, and recorded a resolution to the effect that the complainants had been "fully warned of the nature of their contracts, and that Government was under no obligation to bring them away from Bourbon in consequence of their disappointment."

Emigration to Bourbon in 1830.

Permission of Government asked.

Terms of contract.

Subsequent complaints from these emigrants, and orders thereon.

Emigration on any large scale dates from 1834.

It is not clear whether other emigrants to Bourbon followed. But the abolition of slavery in British colonies in 1834 was what gave the first great impetus to emigration. The sugar-planters of Mauritius were not slow to perceive that India was their best recruiting ground, and a shipment of about 40 coolies seems to have reached that island in August 1834.† The only control which it was at first attempted to exercise over this emigration was, as in the case of Bourbon, to require intending emigrants to appear before a magistrate, to satisfy him of their freedom of choice and knowledge of the circumstances of the case. The contracts were for five years, and generally stipulated for 5 rupees a month, in addition to liberal rations and clothing, as the wages of an adult male.

First attempt to regulate emigration.

Terms of contract.

Unregistered emigration.

Estimated number of emigrants from August 1834 to May 1837.

Inasmuch, however, as there was no penalty for deporting emigrants unregistered, no accurate figures of this emigration are, from the nature of the case, attainable. But as well as I can ascertain, between August 1834 and May 1837, at least 7,000 emigrants left Calcutta for Mauritius. Of these not more than 200 at the outside were women. Nearly one-half of the whole number were "hill coolies," *i. e.*, Dhangars, Kols, or Santhals. About 100 men and eight women seem to have left Bombay for Mauritius during the same period.

First legislative regulation of the traffic.

The Government of Mauritius, in 1836, called attention to the necessity for some regulations to ensure the well-being of emigrants on the voyage; but the whole question had already been referred to the Law Commission, in connection with a project of law then under consideration for the protection of natives generally leaving India by sea. The opportunity was, however, taken to ask the Government of Mauritius for some account of the condition of the Indian labourer in that colony.

Report on emigrants in Mauritius, December 1836.

The reply from Mauritius, dated 15th December 1836, is to the following effect:—

The introduction of free labour from India is reported, as far as the experiment had then been tried, to have been attended with very complete success, labourers and employers seeming in general mutually satisfied with each other, misunderstandings arising only from temporary stoppage of articles of subsistence which the master agreed to supply, but which were not for the moment procurable, not from any discontent with the situation in which the Indians found themselves placed, their labour, or general mode of treatment. The hours of labour were generally regulated by express contract; where this was not the case, from sunrise to sunset, with two and sometimes three hours for meals, constituted a day's work. The Governor was of opinion that the hours should always be expressly stipulated. The labourers lived under the general laws of the colony, an attempt at special legislation having been disallowed by Her Majesty's Government; but an ordinance was under consideration to give district magistrates a limited jurisdiction in police and civil cases, with a view to prompt settlement of differences between masters and servants. His Excellency also sent a copy of instructions to persons applying for permission to import labour (for it is to be remarked that permission was necessary) and to persons employing emigrants. These inculcate—(*a*) the selection of real agricultural labourers; (*b*) the recruitment of a suitable proportion of women; (*c*) careful medical inspection; (*d*) the limitation of advances of wages; and (*e*) careful measures for the supply of rice. The second ciruclar addressed to employers urges the exact performance of contracts in regard to food clothing, punctual payment of wages, observance of hours of labour, and other points. With regard to the point (*c*), Sir W. Nicolay

Sir W. Nicolay's care for the well-being of the emigrants.

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* Dr. Mouat, however, thinks the emigration began soon after 1826.

† It was on the 1st of this month that slaves passed by Act of Parliament into the position of "apprentices."

Nicolay would have medical inspection and vaccination made compulsory. His Excellency would also have the agreements bind employers to provide a return passage, to supply specified daily rations and clothing, and it was requested that agents applying to export labour should be called on to produce their permission from the Mauritius Government, and that the police at the port of embarkation should send to that Government nominal returns, with full particulars, of all emigrants shipped. Sir W. Nicolay also advocated an inspection previous to sailing of each emigrant ship, in order to ascertain the identity of the emigrants on board, and the absence of fraud or force in shipping them.

Certain restrictive ordinances disallowed by His Majesty's Government.

It is to be remarked, however, that this care for the welfare of the coolie was a thing of recent birth in the Mauritius, for in November 1835 two ordinances had been passed bearing so hardly on the immigrant, and tending so decidedly to reduce him to the level of a slave, that they were disallowed by His Majesty in Council. As remarked by Mr. (now Sir) J. P. Grant, in a Paper we shall have to notice presently, in a colony so lately a slaveholding one, this was but natural.

Reports by Messrs. Woodcock & Scott on Indian labourers in Mauritius.

Reports were also received from two members of the Civil Service, Messrs. Parry Woodcock and T. C. Scott, who had recently visited Mauritius. These may be considered on the whole confirmatory of the views and statements of the Government of Mauritius; at the same time they clearly pointed out that the system required regulation in certain respects.

Views of the Law Commission as to the regulations necessary.

The opinion of the Law Commissioners will be gathered from the following extract from their Report to Government:—

"On the whole, the Commissioners are of opinion that, with respect to emigrants to British or foreign settlements beyond sea, no legislation is advisable, except what may be required for the purpose of supporting precautionary arrangements, such as have been already made, to prevent undue advantage being taken of the simplicity and ignorance of those persons. With this view a law might be framed by which any magistrate, within whose jurisdiction the port or place of embarkation may be situated, should be empowered to cause the attendance before him of any natives of India who he may have reason to believe are about to emigrate to any British or foreign colony beyond sea, under contracts of service, and enacting that no contract of this description shall be held valid unless certified by the magistrate to have been assented to by the native parties to it, with a full understanding of its provisions.

The magistrate at po[rt] of embarkation to ascertain that emigrants understood terms of contract an[d] were free.

"The Commissioners think it would be advisable to authorise by the same law the refusal of a port clearance to any vessel taking away such natives, until the contract has been inspected and certified. It also occurs to them that it may be expedient to authorise a like refusal in any case in which it shall appear that proper provision has not been made for the suitable treatment of the emigrants during the voyage. In offering these general suggestions, the Commissioners wish it to be understood that they are not prepared to frame, without further inquiries, the draft of a law containing, in all the requisite detail, the rules which would be necessary to carry them into effect. The Commissioners also desire to add that it would, perhaps, be an improvement on the precautionary steps which have been heretofore taken, if the magistrate were required to furnish in every instance to the Government a copy of the contract under which the emigrants go, and if the Government made it a rule to transmit a copy to the Government of the colony. The magistrate, of course, ought to take care, on behalf of the emigrants, that all the necessary conditions are distinctly stated in the contract. In the case brought to the knowledge of the Commissioners by the papers before them, of natives of India who went to Bourbon, it appears that the rates of wages to be paid were not specified. If care be taken to ascertain that every essential point is provided for in the engagements; that all the conditions are fully understood and freely agreed to by the emigrating natives; that sufficient provision is made for their suitable accommodation and sustenance during the voyage; and that a copy of the engagement is, in every instance, transmitted to the Government under which they are to live, it does not appear to the Commissioners that there is anything more which the Government of this country can reasonably be expected to do for the protection of that class of persons."

Steps to be taken to ensure provision for the suitable treatme[nt] of emigrants during the voyage.

The magistrate to see that the contracts specify all the conditions of engagement.

The result of these proposals. Act V., 1837: its provisions.

The result of the deliberations of Government was Act V., 1837, which became law on the 1st May of that year. Its provisions are to the following effect:—

No emigrant to be received on board sh[ip] without a permit.

Section 1. No native making a contract of service to be performed outside* "said territories" is to be received on board any vessel at any place within the territories subject to the Presidency of Fort William, in Bengal, without an order from the Governor of said Presidency, or a permit from an officer authorised by the Governor to act in that behalf.

Before grant of permi[t] both parties to appea[r] before the officer authorised to grant permits, with a memorandum of the contract.

2. Before the grant of such permit, the native and the person with whom he contracts, or his agent, must appear before the officer and produce a memorandum of the contract (in English and the mother-tongue of the native, or some language understood by him); the memorandum to specify the nature, the term, and the wages of service.

Contracts to be dete[r]minable after five years.

3. Contracts are to be determinable on the expiration of one term not exceeding five years, or of successive terms not exceeding five years each, and to contain a stipulation for the re-conveyance of the native to the port at which he embarks.

4. The

* This would apparently have put emigration from Bengal to Madras on the footing of emigration to a colony not subject to the Government of India.

Officer to examine the parties;

4. The officer is to have power to examine the parties and to explain the terms of the contract to the native.

and, if satisfied, to endorse the memorandum of contract.

5. If satisfied that the native understands the contract, and desires to fulfil it, the officer is to endorse on a memorandum a note to that effect, which note is to constitute the permit, and to be delivered to the native to be kept during service.

If a vessel carries more than 20 emigrants, measures to be taken to ensure proper accommodation, food, and medical attendance.

6. If more than 20 emigrants embark on the same vessel, the officer is empowered to summon the person in charge of such vessel and to examine him as to "accommodation," food, and medical attendance provided for emigrants, and to inspect, or cause to be inspected, the vessel itself.

Unless these are satisfactory permit not to be given.

7. He is not to grant permits unless satisfied that "accommodation," food, and medical attendance are sufficient for health.

Register of emigrants.

8. A register is to be kept of each emigrant, specifying name, period of contract, date of permit, destination, and vessel in which embarked.

Fee of one rupee on each permit.

9. A fee of one rupee for each permit granted is to be levied from the employer or his agent.

Penalties.

10. The penalty for breach of Section 1 on the part of the master of any vessel is a fine of 200 rupees, or 30 days' imprisonment, for every native allowed to embark without permit.

Exemption of contracts with native seamen or menial servants.

11. Contracts with native seamen or menial servants are exempted from the operation of the Act.

Superintendent of Police, Calcutta, appointed to carry out the Act.

Rules for his guidance.

The Superintendent of Police, Calcutta, was appointed the officer to grant permits, and certain rules were laid down for his guidance. They were brief and informal. They required—

Notice of intention to ship emigrants;

(1.) That due notice should be given of an intention to ship emigrants;

dietary;

(2.) That the dietary noted below* and five pints of water should be shipped for each labourer for every day of the voyage; the length of the voyage to Mauritius being estimated at from 40 to 65 days, according to the season of the year;

medical officer and medicines;

(3.) That a medical officer, European or native, with a sufficient supply of medicines, should accompany each ship;

limit by tonnage.

(4.) That not more than one labourer for every 1½ tons of actual tonnage should be carried; and

Agreements, what to specify.

(5.) That agreements should specify the name of the employer, the estate whereon the labourer was to be employed, the hours of labour and refreshment, the wages, rations, and clothing allowed.

The law extended to other Presidencies by Act XXXII. of the same year.

The Act, as passed, it will have been observed, applied only to the Presidency of Fort William, although the Government of Madras had, in a letter which must have reached Calcutta before the passing of the Bill, advocated the inclusion of that Presidency.

Additional particulars to be registered; object of this provision.

However, as the Governments both of Madras and Bombay subsequently urged the extension of the measure to their territories, recourse was had to fresh legislation, and Act XXXII. of 1837 was passed on the 20th of November of that year. It repeals Act V., 1837, and re-enacts it for the whole of the territories of the East India Company; making it further incumbent on the officer granting permits to register the names of the parties with whom contracts are made, of the agents of such parties as appear by agent, and of the masters of vessels on which emigrants are permitted to embark. The additional clause was intended to prevent the transfer of coolies as chattels from one employer to another, an abuse which had been pointed out by the Government of Mauritius, but to which the chief police magistrate of Bombay had particularly called attention.

Facts of emigration under Acts V. and XXXII., 1837.

The Acts V. and XXXII., 1837, did not remain long in force; and, before proceeding to narrate the circumstances which led first to their virtual suspension by an executive order, and then to their formal repeal, it may be as well to put together here such facts as are forthcoming about the emigration which took place under their provisions. It is impossible to reconcile accurately the various accounts; but the emigration of this period from Calcutta, according to what seems the most trustworthy statement, was as follows from the passing of Act V., 1837, to August 1838:—

To Mauritius, 7,239 men, 100 women, and 72 children; total, 7,411 souls.
To British Guiana, 407 men, 7 women, and 10 children; total, 424 souls.
To Bourbon, 60 men.

To

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*Rice	14 chatáks.	Turmeric	½ chatáks.
Dál	2 ,,	Onions	½ ,,
Ghi or oil	½ ,,	Tobacco	1 ,,
Salt	¼ ,,		

To Australia, 89 men, the first and last direct emigration to Australia.
To Batavia, 4 men.

These last were silk-winders imported to teach their art. Of the emigrants to Mauritius some 150 were domestic servants, and about 100 artificers. The rest, as also the Australian and Demerara coolies, went out as agricultural labourers. I gather that about one-third of this emigration consisted of "hill coolies." The classes and districts to which the rest belonged cannot now be ascertained. Of the batch which sailed to the West Indies, 33 were Musalmans, and (leaving out of consideration about 130 "hill coolies" recruited in Chota Nagpore) the majority seem to have come from Burdwan and Bancoorah. A few belonged to Oudh, Behar, and the lower districts of the North Western Provinces. From Bombay 139 men seem to have sailed for Mauritius in 1838. I have not been able to get even doubtful figures for Madras. Mauritius alone is said to have imported upwards of 25,000 labourers between August 1834 and August 1838. The Calcutta and Bombay figures taken together would leave a deficit of about 10,000, part of which may be due to emigration from Madras.

Agitation in England against Indian emigration; led by abolitionists. Its echo reaches India, 1838.

In June or July 1838 the echo of the agitation in England against the deportation of Indian labourers to the colonies—an agitation in which Lord Brougham took a leading part—seems to have reached India, and the allegations on which that movement was based deeply stirred the minds both of Lord Auckland and the Members of his Council, and, indeed, of the public generally. Independently, and almost simultaneously, the Governor General, at Simla, and Mr. Bird, at Calcutta, recorded Minutes on the subject.

Lord Auckland's Minute of 3rd July. The necessity for enquiry.

Lord Auckland's, dated 3rd July 1838, dwells on the necessity of obtaining fuller information as to the actual treatment of the Indian emigrant, and questions the humanity of allowing him to go to such distant colonies as the West Indian settlements at all. His Lordship seems to have been alarmed by the dimensions which emigration had assumed, and copy of his Minute was communicated to the President in Council.

Action taken by the Government at Calcutta.

Permits for vessels to West Indies withheld and Committees of Enquiry appointed.

Prohibition of permits for emigration to any colony.

Preparation to legislate.

The latter had, however, already taken action, at the instigation of Mr. Bird, who from the first felt strongly on the subject. The Governments of Bombay, Madras, and Bengal had, on the 11th July 1838, been directed to withhold permits for vessels carrying emigrants to the West Indies, and to appoint Committees to consider the whole question of emigration, its abuses, and their remedies. The Governments of Mauritius and New South Wales were also asked to appoint Committees to inquire into the condition of the Indians who had emigrated to those colonies. On the 28th November following, the prohibition of the issue of permits was extended to the case of all colonies, intelligence having been received of the issue of orders to that effect by the Court of Directors. The Despatch actually containing the orders of the Honourable Court, though dated 1st August 1838, was not received till January 1839. On its receipt a draft Act was at once prepared, and a communication made to the Government of Mauritius, requesting its co-operation in carrying into effect the views of the Home authorities. The Marquis de St. Simon, Governor General of the French Settlements in India, was also addressed, and he assured the Government of India that "there existed too good an understanding between the Governments of England and France, and too much community of feeling between the two nations, when the interests of humanity were in question, not to impress him with the certainty that his taking on himself to enter fully into the views of the Government of India would be approved, as regarded the exercise of vigilance to prevent not only Indian labourers from the Company's dominions being embarked at Pondicherry or other French ports, but also those who might furnish proof that they belonged to French territory." Shortly after, however, "His Most Christian Majesty's brig-of-war 'Lancier'" arrived in Calcutta, with M. Henri Maingard from Bourbon on board. This gentleman came charged with a mission on behalf of the Bourbon Government to arrange for the importation of coolies into that colony. But after a great deal of diplomacy (which is described with much unction in a *verbosa et grandis epistola* to the Court of Directors), the Bourbon emissary returned in "His Most Christian Majesty's brig-of-war," baffled by the determination of the Government of India to adhere to the course of absolutely prohibiting emigration, pending inquiry.

Unsuccessful attempt of French authorities to induce Government of India to permit continuance of emigration to Bourbon.

Protest from Ceylon.

Before the draft became law, a letter was received from the Government of Ceylon protesting against the measure, as it would affect that island, and reciting what had been done there. An Order in Council, dated 30th July 1838, was quoted, declaring that in West Indian colonies and Mauritius no contracts made outside the colony were to be enforced by the courts, and it was stated that steps were taken to ensure emigrants from Ceylon being made thoroughly to understand this. The Government of Ceylon was asked whether it could pass a law similar to that which would be passed in India, it being obvious that otherwise Ceylon would merely become a depôt for Indian labourers, and the Indian law be rendered nugatory. No reply to this was received, and the proposed law was, therefore, passed on the 29th May as Act XIV., 1839.

Act XIV., 1839, passed.

It repeals Acts V. and XXXII., 1837;

It is a brief enactment;—Section 1 repeals Acts V. and XXXII. of 1837.

And makes it penal to contract with a native of India for labour to be performed outside the territories of the East India Company or to abet emigration for such purpose.

Section 2 declares that any person contracting with a native of India for labour to be performed in any British or foreign colony without the territories of the East India Company, or knowingly aiding or abetting a native of India in emigrating from such territories for the purpose of being employed as a labourer, shall be liable to a fine not exceeding 200 rupees for every such native so contracted with, aided, or abetted, or, in default of payment, to imprisonment not exceeding three months.

Certain contracts excepted.

By Section 3 contracts with native seamen or menial servants are excepted.

Proceedings of the Calcutta Committee of Enquiry.

Meanwhile the Committee appointed at Calcutta* to inquire into the alleged abuses attending emigration had held sittings, taken the evidence of natives and Europeans, and examined the written records bearing on the subject. Their Report, however, was not submitted till the 14th October 1840, and was signed by only three members, viz., Mr. T. Dickens, Rev. J. Charles, and Baboo Russomoy Dutt. The evidence taken relates altogether to emigration to Mauritius. It is very voluminous, but not very valuable to us now. Broadly, it may be said to have proved that very grave abuses had prevailed in India, emigrants having been, in too many cases, entrapped by force and fraud, and systematically plundered of nearly six months' wages, nominally advanced to them, but really divided, on pretences more or less transparent, among the predacious crew engaged in the traffic. With respect to the treatment of emigrants on the voyage and at Mauritius, the evidence was conflicting; but did not, I think, prove more than that there were some bad masters in Mauritius, and that some of the ship captains engaged in the traffic were, from brutality or apathy of character, little fitted for the charge of coolies.

Their Report.

General facts established by the evidence.

The three members go much further, and recommend that the prohibition should be maintained.

But the three members of the Committee who signed the Report believed that much more was established, and condemned the whole system in every stage. They expressed their conviction that no regulations would avail to prevent the like abuses, and recommended that the prohibition of all emigration should be maintained. If this could not be done, nothing short of putting the whole management of emigration, from first recruitment to arrival in the colony, under the superintendence of a paid department of the Government service would satisfy them. The expense attendant on any such plan would have been as complete a prohibition as any legal enactment, and this no doubt the Committe perceived.

Major Archer's views not on record.

Major Archer, the fourth member of the Committee, went to Europe at an early stage of the proceedings, and I have not been able to obtain his views, if, indeed, he ever put them on record.

Mr. Dowson's dissent.

The fifth member, Mr. Dowson, was himself a merchant interested in the exportation of labour. He, as was only to be expected, refused to sign the Report, and recorded a separate Minute of absolute dissent.

Mr. J. P. Grant's dissent.

But the most valuable document called forth by the inquiry is the Minute of the sixth member, Mr. (now Sir) J. P. Grant. I extract the conclusion in which he sums up the practical remedies he would propose:—

The evils which had attended emigration preventible.

Recommends opening of emigration to Mauritius,

and, more guardedly, to other British colonies.

The case of Bourbon different.

Difficulties on this point.

"I conclude then that, as far as our information goes, the whole of the evils which attended the export of Indian labourers to our own colonies were casual, and may, by good regulation, be prevented for the future; that the direct advantages of free emigration are immense, whilst the indirect advantages are incalculable, consequently that free emigration from India to our own colonies ought to be permitted under such regulation in India and in the colonies as may afford a reasonable expectation of preventing the recurrence of the evils heretofore experienced. As far as Mauritius is concerned, I regard our information as complete, and therefore there can, in my opinion, be no reason to delay the opening of that colony beyond the time when the colonial laws and institutions shall be pronounced to be, in all that concerns this question, in a satisfactory state. Not having complete information in regard to our other colonies, I cannot conclude with equal confidence as to them; but I see no reason to suspect that any evils that may have been experienced in those colonies are not remediable by proper measures in the same manner as in Mauritius; consequently my belief is, that the conclusion applies equally to all our colonies. In regard to Bourbon, the only foreign country to which Indian labourers have gone in large numbers, we have no information. There are, however, strong grounds for suspecting that abuses may exist there in a higher degree than in Mauritius, from the circumstance of Bourbon being still a slave colony. In my opinion that fact alone affects the case very materially. The Government of that country has shown a strong desire to protect imported labourers by the enactment of protective laws. But the state of the law is a small matter compared with the state of the public feeling and the administration of the law, whereof we know nothing. I cannot imagine an island, of which the population consists of a few white masters, a large number of black slaves, and a large number of free black foreigners, being an eligible habitation for the last-mentioned class. The Crown cannot know that the Indian labourer there gets justice in all respects like a French labourer in his own country, and, if he do not, it cannot afford him protection. This is not the case of a few stray labourers leaving their country to go to a foreign land, a case which might certainly be disregarded by the law. But this is a case where British subjects would be annually exported systematically and by thousands. If, therefore, there is need of interference, the importance of the matter demands legislation. Since the prohibitory act of the Indian Government, the exportation of labourers from Pondicherry has been stopped. If any British ports are again opened, Pondicherry may very probably again be opened. I do not deny that this is a point which is involved in some difficulty, but

* The Bombay Committee had reported that no such abuses prevailed on that side of India. In fact, emigration from Bombay could hardly then have been said to exist. The Madras Committee had not contributed anything of value. The records of the Mauritius Committee, if it ever sat, are not forthcoming, and no communication whatever seems to have been received from Sydney.

but as our legislation will affect only our fellow-subjects, whose protection is our first duty, we have no right, merely because foreign interests are concerned, to refuse to legislate for them in such manner as is most conducive to their good, whether in the way of restriction or in the way of relaxation.*

Special measures necessary.

"I believe, however, that it will only be necessary to prevent British subjects being inveigled or carried by force into foreign territories on the Indian continent. If all persons conducting labourers into those territories are subjected to proper regulations, whereby it may be certain that every labourer so proceeding shall be made aware that he is liable to be taken beyond sea without the protection of the British Government, and whereby the option of turning back shall be freely afforded him, I do not think that any abuse is likely to occur. But, conceiving this to be a point on which the Madras Committee must have a great deal more information than we have, I shall say no more upon it.

General character of legislation needed.

Certain ports to be fixed.

A Protector to be appointed at each port

The Protector's duties

"The sort of law which I would suggest, and which, in my opinion, would be sufficient for regulating the system of emigration from India, may be gathered from what I have said when touching upon the several abuses to be guarded against. In India it would be necessary to limit emigration to certain ports which might be conveniently named from time to time by the executive Government. The necessity of regulating the system involves the necessity of limiting it to places where means can be provided for the enforcement of the regulations. At each port of embarkation a Protector of Indian Emigrants might be appointed, having no connection with the police and no power to punish. He might probably conduct his duty with a very small establishment. At any rate the one or two clerks and chuprasees whom he may require should have no interest in the matter. At his office he might examine leisurely one by one, and without the presence of any party interested in the system, every labourer who should come to him professing a desire to embark. After making sure that the labourer fully understands what he undertakes, and that he is acting voluntarily, the Protector might make out a certificate containing a description of the holder's person. A registry of all certificates, containing the date of examination and all particulars, might be kept. The system of passing coolies in batches might be forbidden. It might be the Protector's duty to see that no force, or show of force (such as marching coolies about in gangs under burkundauzes) should be allowed, and to make it well understood by all, that if any labourer, at any moment, chooses to change his mind as to going abroad, no summary interference with him will be permitted. The certificate might, within a limited time from its date, be a sufficient warrant to any master of a vessel who had obtained authority from the Protector for conveying emigrants to receive the holder on board. The Protector might refuse to grant such authority, unless convinced that the master and officers are by experience, temper, character, &c., suited for such a duty as the conveyance of Indian labourers. Before the ship breaks ground, the Protector might proceed on board and grant a final permit to the master to sail with such labourers as then and there produce their certificates, and still testify their desire to proceed; provided he be satisfied that all regulations concerning space, food, water, ventilation, medicine, &c., have been duly attended to. In regard to space and water, the regulations might be more liberal in favour of the emigrant than the old regulations. Security, in the shape of a deposit of stock paper, for the return passage of the labourer might be insisted upon. A very small amount of security would suffice for labourers going to Mauritius, whence the return passage is cheap. I conceive that a law of the Imperial Legislature would be necessary in order to insure, on the part of masters and owners of vessels, obedience to such regulations as the Indian Government might frame, and to render breach of the same on shore or at sea punishable in any part of the British dominions. To prevent smuggling Indians to foreign parts contrary to law, all vessels trading in British waters, and British vessels everywhere, might be liable to search by men-of-war expressly with this object, and a proper penalty for every Indian labouring man found on board contrary to law might be imposed. If more than a very small number should be found the penalty might well be confiscation. Permission might be refused by the Government to ship emigrants to any colony where, in the opinion of that Government, the law applicable to such emigrants is not in all respects such as is suitable for free men of that class, and where adequate practical facilities, considering the circumstances of the emigrants, are not afforded by the colonial forms of procedure and institutions. In regard to law in the colony, no power to retain labourers within the limits of an estate, nor otherwise to interfere with their liberty out of working hours, nor to inflict corporal punishment upon them, nor to inflict any other punishment upon them otherwise than by the hands of public justice, should, in my opinion, be permitted. Breach of contract on either side should annul the bargain in respect to the party breaking

More liberal regulations as to space and water recommended.

Security for return passage.

Imperial legislation necessary for due control of masters and owners of emigrant vessels.

Right of search.

Government of India only to allow emigration to colonies where it was assured the emigrant would enjoy freedom and protection from wrong.

Special points in colonial law which should be insisted on.

* (See paragraphs 30 to 33 of the Report on this point.)

"The argument of those passages is, that if we permit a free circulation of labour in our own dominions in regard to our Indian fellow-subjects, we shall be in a bad position when we endeavour to persuade Foreign States to abolish the slave trade. I cannot admit this paradox till the freedom I support shall be demonstrated to be slavery. In my opinion, the less we interfere with the natural freedom of our own labourers the more effect will our arguments in favour of free labour have with other nations. I hope that we never shall be placed in the trying situation of having to choose between partially enslaving our own labourers in practice, or abandoning the cause of foreign slaves in theory. The argument we are recommended to hold to the emancipated slave colonies to my mind is this: Formerly you had nothing but slave labour. Slave labour is abomination, therefore we shall now do all we can to prevent your having free labour."

e term of engage-nt should vary ording to the dis-ce of the colony.

ing it, except that the contracting employer should be obliged to return the labourer, if called upon to do so. The terms of contract should, I think, be shortened according to the distance of the colony. Two years for Mauritius would certainly be ample. Taking the market rate of wages there at 10 rupees, and the contract rate at five, rations being the same, that would allow the contracting employer 120 rupees for his expenses in importing and exporting again the contracting labourer.*

newal only to be rmitted for short ms.

"After the first term I think no renewal should be allowed, but employer and working man should be left to make their own bargains for short terms, say, for not longer than six months. All bargains for short terms in anticipation of the expiry of existing bargains should, I think, be valid. One day of rest in seven, except upon pressing occasion, might be insisted upon. A class of labourers who should work every day of the week would drive labourers who work only six days out of the market.

her essentials for otection of Indians the colonies.

"In regard to legal procedure, the appointment of competent interpreters would be indispensable. So also, I think, the institution of cheap and accessible courts, competent to give labourers civil damages for ill-treatment on the voyage and in the colony, should be insisted upon. Perhaps a Colonial Protector of Indian labourers, to give advice, and generally to see that these poor people obtain their rights, to be the medium of communication between the labourer and his family, and to remit money to the labourer's home by a system of public bills, also to report on the arrival of each coolie vessel to the protector at the Indian port whence it sailed, might be useful to the colony. As in India, I think it would be better to confine the police and all other judicial officers to their proper duty of deciding disputes and punishing offences in cases where Indian labourers are concerned, as in all other cases. Where Indian labourers sail without contracts for our own colonies, it does not occur to me that any measures are necessary, except such as will insure against their being carried off involuntarily by fraud or force. Regulations such as are above contemplated as to be enforced in India would seem to me sufficient for this purpose."

e views of members Government equally ergent.

The views of the members of Government were almost as divergent as those of the members of the Committee. Mr. Bird would have chosen to maintain the absolute prohibition. Lord Auckland would have permitted emigration to Mauritius, if he could have seen his way to preventing emigration to other colonies at the same time. Messrs. Prinsep and Amos were for permitting a regulated emigration to both British and foreign colonies. I may remark, *en passant*, that the facts hardly bore out Mr. Amos' views as to the result of an absolute prohibition. There were, it is true, a few cases of violation of the Act, some 25 coolies having sailed for Mauritius from Calcutta, and 218 from Cuddalore, besides about 35 shipped from Ceylon. But the Mauritius Government acted very loyally in the matter, and gave the men on arrival to understand that they were free from all engagements, and that it was at their option to go back to India or stay in the colony.

ectors decline to ax the prohibition nding discussion in rliament.

In their Despatch, No. 22, dated 29th September 1841, the Directors acknowledged the receipt of the Minutes of the Governor General and his Council, but declined to allow any relaxation of the existing law till the matter was considered by Parliament.

rliament, however, ops the subject.

Meantime the Report of the Committee and the evidence taken before it had been laid before the House of Commons, and the enthusiasm, which had from the first had somewhat of a not unnatural exaggeration about it, began to cool down. Ultimately the matter was left to be settled by the Colonial Office in communication with the Board of Control and Court of Directors.†

In

* "Because of the disadvantages under which the weaker party to the contract may often labour from his original ignorance of circumstances known to the other party and the nature of the bargain, I think he should have the power of freeing himself on paying the full charges of the other party, as proposed by Lord Glenelg. If this be not allowed, I think there should be no remedy for breach against the weaker party but by regular civil action."

† I have gone through the debates in Hansard, and may here give, in the merest outline, the parliamentary history of the question from 1837 to 1842:

On the 10th July 1837, Mr. Fowell Buxton asked Sir J. C. Hobhouse how the importation of natives of India into Mauritius and the West Indian Colonies took place, and whether the natives so imported were in any degree regarded as slaves. Sir J. C. Hobhouse, in reply, assured Mr. Buxton that the emigration was perfectly free. "They were no more regarded as slaves than the House of Commons itself." And Sir G. Grey averred that, as far as the colonies were concerned, every precaution was taken to preserve the immigrant labourers in a state of "complete and perfect freedom."

The first note of challenge came from Lord Brougham, as a leading abolitionist and anti-slavery man. In January 1838 he discovered and brought to light a "reluctant" Order in Council of the preceding July, by which the Colonial Office had permitted the introduction of foreign labourers into British Guiana. In the course of a debate on negro emancipation on the 20th February 1838, he described this measure as the establishment of what would become a slave trade, and on the 6th March following he delivered himself of a strenuous denunciation of the whole system of emigration from India, and moved a resolution condemnatory of the Order in Council. A debate followed, in which the Duke of Wellington, Lord Melbourne, Lord Glenelg, and Lord Ellenborough took part. The three first maintained that emigration under certain checks might properly be admitted, and Lord Glenelg even went so far to say that these checks were actually imposed by the Act (V., 1837) which had been passed by the Indian Legislature. The Duke of Wellington, in a temperate and sensible speech, described the regulations which he considered necessary to put emigration on a safe footing, and blamed the Government of India for having only taken action in 1837, though the export of labourers had been going on since 1834. Lord Brougham *riposted* vigorously, declaring that he had "no choice but to act as he had done through the whole of his life, maintaining to the end the implacable enmity with which he had at all times pursued this infernal trade." The only information then in Lord Brougham's possession seems to have been supplied by the reports of Messrs. Woodcock and Scott, already referred to in this narrative. It can, therefore, be judged how far his denunciations were based on fact, how far on the foregone conclusion that the traffic could not be other than a slave trade, and therefore to be exterminated root and branch. Ultimately "the previous question"

In January 1842 the Colonial Office came to the conclusion that, as far as Mauritius was concerned, there was no necessity for maintaining the prohibition against immigration from India; and on the supposition that the Indian Government would not be unwilling to remove the interdict, an Order in Council was passed to the following effect:—

Colonial Office takes steps for resumption of emigration to Mauritius.

After reciting the probability of the resumption of emigration to Mauritius under laws for the protection of emigrants, among which would be a provision for the appointment of officers at Indian ports charged with the "care, protection, and superintendence" of emigrants, also the probability of the enactment of a law at Mauritius for defraying the costs of emigration from the public revenues of the island, and the necessity of a law for regulating such expenditure and preventing abuses in the introduction of emigrants, the Order goes on to enact the following rules (based, to speak broadly, on the English Emigration Acts), to have the force and effect of law in Mauritius:—

The Order in Council

I. The Governor of Mauritius to appoint emigration agents at Indian ports of embarkation, and a Protector of Immigrants at Mauritius.

Its provisions; emigration agents to be appointed at Indian ports;

II. Agents

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was, on the motion of the Duke of Wellington, carried, to the extreme indignation of Lord Brougham, who wrote and published a letter to the Duke remonstrating with him for the part he had taken in the debate. Lord Melbourne had, however, in the course of the discussion, pledged himself to take into consideration the Duke of Wellington's suggestions for a more efficient regulation of the traffic (in fact, these tactics had enabled Government to carry "the previous question"), and, on the 22nd May 1838, Lord Glenelg moved the second reading of the Natives of India Protection Bill. Its main feature seems to have been the supervision of emigration by special officers to be appointed in India.

Again, on the 16th of July, Lord Brougham drew attention to the subject. "Had not their Lordships," he asked, "seen the circular of the Messrs. Huson, who had held themselves forth to the public as accomplished man merchants, and who had bragged that in two years they could furnish to the Mauritius 5,000 hill coolies at 10 *l.* a head, including passage money, provision, water, and all other stores, and an advance of six months' wages and clothing, these wages being five rupees, or about 10 *s.* a month, while the wages of a day labourer in that country were instead of 3 *d.* or 4 *d.* a day from 3 *s.* or 4 *s.* a day? These poor and ignorant creatures, the hill coolies, were smuggled away under the idea that Mauritius, to which they were going, was a village belonging to the East India Company. * * * * He hoped that before this Session of Parliament closed an entire prohibition of the traffic in hill coolies would be passed. He had seen an account of a vessel having carried over 150 hill coolies, and as a brag, it was said that only 10 died in the vessel during a voyage of four months, that was to say, a mortality of 1 in 15, which was most hideous and frightful mortality, and an additional reason, if any were wanting, why this abominable traffic should be stopped."

The Bill was read a third time that Session in the Upper House, but not pressed in the House of Commons, assurance being given that, pending inquiry into facts, emigration would be forbidden by the Government of India.

In July 1839, Lords Brougham and Ellenborough again pressed the subject, referring in the strongest terms to the sufferings and mortality among natives of India both in British Guiana and on the passage. Lord Brougham used such phrases as "the charnel-houses of Demerara," and declared that the "mortality and massacre of the voyage far exceeded the African middle passage itself." The grossly exaggerated form of these assertions will be clear from the figures hereafter given of the result of the emigration of 1838 to British Guiana. The subject was at the same time brought forward by Sir James Graham in the Lower House, and Mr. Labouchere admitted that there had been great mortality on one estate at Demerara. As for the Mauritius, the accounts were "on the whole extremely favourable."

On the 4th February 1840, Lord John Russell took occasion, from Mr. Vernon Smith's moving for leave to introduce a Bill to extend the Passengers Act to the British Colonies in the West Indies, to announce to Parliament that Government had come to the conclusion that, as far as Mauritius was concerned, the then existing prohibition against emigration might, under strict regulations, be relaxed. As to the West Indies it was not proposed to interfere. Sir James Graham suggested that the best way to arrive at the sense of the House on such a measure would be to bring in a separate Bill; but instead of doing this, Lord John Russell attached to the Colonial Passengers Bill some general clauses favouring the admission of Indian emigrants to Mauritius. As the Bill related to emigration from the United Kingdom to the West Indies, the device was somewhat clumsy. However, on the question raised in this strangely indirect way, there was (4th June 1840) an eager debate, still marked by a tone of exaggeration and an absence of well-authenticated facts. The strange thing is, that both sides appear to have taken for gospel the extremest accounts of past cruelties, "horrors," and "atrocities," being phrases used as freely by Lord John Russell as by Dr. Lushington.

The upshot of the debate was, that a motion was carried that it should be an instruction to the Committee that they had power to regulate the intercourse between the East Indies and Mauritius, and Lord John Russell's clauses were agreed to in Committee, and read a first and second time. But on the question that the Bill do pass (22nd June 1840), Dr. Lushington moved the omission of the clauses relating to hill coolies, and this motion was carried by a majority of 49; 158 to 109.

Thus there ceased to be any legislative measure on the subject before either House.

On the 11th March 1841, Mr. Mackinnon urged the opening of Guiana to immigration; but the House was counted out.

Accordingly the question, as far as the Mauritius was concerned, came to be disposed of executively by the Secretary of State for the Colonies (now, on a change of administration, Lord Stanley), acting in communication with the Board of Control and the Court of Directors. On the 1st March 1842, Mr. Vernon Smith made an elaborate attack on Lord Stanley's policy, maintaining that the House of Commons, by its vote of the 22nd June 1840, had virtually declared that Mauritius should not be opened to immigrants. Lord Stanley vigorously replied. Both parties now found an ample armoury of weapons in the Reports of the Calcutta Committee and the Minutes of Lord Auckland and his colleagues. Mr. Vernon Smith ultimately withdrew his motion, which was framed in such a way (a call for instructions from the Board of Control to the Governor General, with whom, of course, the Board was never in immediate communication), as to allow Lord Stanley to characterise it as a "ridiculous" motion for papers which did not, and indeed could not, exist.

A final stand was, however, made on the 26th July, when Mr. Hogg vigorously maintained the view expressed by the joint Report of the three consentient members of the Calcutta Committee; but the motion which he supported was lost by a majority of 94; 118 to 24.

On the whole, the history of the parliamentary discussion throws little light on the question of immigration. The combatants on both sides fought equally in the dark till they got the Report of the Calcutta Committee.

l remunerated by ...ed salary.

II. Agents to be remunerated by a fixed salary.

...ies of agents.

III. Agents, by personal communication with every emigrant, to ascertain that he goes spontaneously, and with a knowledge of where he is going to; also, that each emigrant is in good health, and not incapacitated for labour by old age, infirmity, or disease.

...cks upon over-...ding on board ...

IV. Not more than one person to be embarked for every two tons of registered burden; the 'tween decks to be six feet high, not more than two tiers of berths to be allowed, the lower tier being six inches above the deck; and 12 superficial feet to be allowed on the lower deck for each person.

V. Two children under 10 years of age to count as one person.

...visions and water.

VI. Five gallons of water and 7 lbs. rice, bread, biscuit, flour, oatmeal, or bread-stuffs to be provided for each person for every week of the computed voyage. The Governor General of India to have power to substitute other articles of food equivalent to the above.

...gth of voyage; a ...e season may be ...scribed.

VII. The computed length of voyage to be fixed by legislative enactment of the Governor General in Council, by which a close season may also be prescribed.

...nt to survey ship, ...visions, and water.

VIII. The agent to survey, or cause to be surveyed, the vessel, and provisions and water for crew and passengers, and to grant a certificate to the master.

...visions for 48 hours ...e supplied on ...ding.

IX. The master to provide every emigrant, his wife and children, with a sufficient quantity of good and wholesome provisions for the voyage and 48 hours next after arrival in Mauritius.

...ies of regulations ...e kept.

X. Two copies of regulations to be given by the agent to the master; and one copy to be produced by the master "for perusal" of any passenger.

...s of emigrants to ...hecked on arrival.

XI. The master to deliver to the agent a list, in duplicate, of the names, ages, and occupations of emigrants; and to receive back a counterpart signed by the agent, to be delivered to the Protector of Immigrants. The Protector, on the arrival of any ship, to proceed on board and ascertain by personal inspection whether Rules IV. and IX. have been observed; to muster the emigrants and compare their number and names with the counterpart list, certifying the total number living, and marking off deaths or differences.

...tificate of Protector ...he colony necessary ...master of ship.

XII. The Protector, if satisfied, to grant the master a certificate.

XIII. No money to be payable except on warrant issued on such certificate.

...tector to keep a ...ister of immigrants.

XIV. The Protector to keep a register of immigrants.

...alties.

XV. Penalties leviable from master of ship in Mauritius for breach of rules.

...hts of civil action.

XVI. Rights of civil action reserved.

...tain vessels ...mpted.

XVII. Nothing to apply to vessels in the service of the Lords Commissioners of the Admiralty, or to any of Her Majesty's ships-of-war.

...immigrant to enter ...engagement till he ...been 48 hours on ...re.

XVIII. No immigrant to enter into any contract of service till he shall have been 48 hours on shore; any such contract to be null and void.

...suit to lie on any ...tract made before ...val in Mauritius.

XIX. No immigrant to be liable to any action, suit, or demand in respect of any debt contracted or any contract made before his arrival in Mauritius.

...tracts with immi-...nt to be regulated ...he law applicable ...ther labourers.

XX. Immigrants only to be capable of entering into contracts "for the period, in the manner, and under the superintendence which, by a law in force there, is required in the case of contracts for service made by other labourers in agriculture or manufactures within the island."

...lers of Colonial ...ce addressed to ...uritius Govern-...nt.

Copy of this Order in Council was sent by the then Colonial Secretary, Lord Stanley (late Earl of Derby), to the Governor of Mauritius, with a letter setting forth the reasons which had moved Her Majesty's Government to permit the resumption of immigration into the island, and drawing particular attention to the necessity for a secure guarantee for the return passages of immigrants desiring to return to India at the expiry of their term of service, and for full liberty being given to the labourers to avail themselves of the opportunity of return.

...mmunication to ...rd of Control.

Lord Stanley at the same time addressed the Commissioners for the Affairs of India, forwarding copy of the Order in Council, and requesting that the correspondence might be communicated to the Governor General through the proper channel, with instructions to bring the subject under the notice of the local Legislature, and to report the result for the information of Her Majesty's Government.

...spatch from Court ...Directors leaves the ...stion to Govern-...nt of India.

The result was the Legislative Despatch from the Court of Directors, No. 4, dated 22nd March 1842, which left the whole question to the decision of the Government of India, merely enjoining in the most general terms the necessity for the establishment of proper safeguards to prevent "a project intended to promote the advantage of certain classes of the people of India, by allowing them free command of their labour, being per-verted

verted to their injury," and for a very careful watch upon the operation of the law, should the existing restriction be relaxed.

The Government of India lost no time in preparing a draft Act and forwarding it to the Court of Directors and the Governor of Mauritius. The latter had, indeed, already, in a letter, dated 5th March 1842, urged on the Government of India the removal of the prohibition, representing the great importance of labour to the colony, and promising that the views of the Governor General in Council, in regard to the protection and welfare of immigrants, should be "carried into the fullest and most complete effect." As a guarantee of the desire of the Mauritius authorities to deal liberally with the coolie, copy of an Ordinance was forwarded, establishing a fund of 25,000 *l.* yearly for the purpose of providing passages for immigrant labourers, and defraying other expenses incidental to free immigration; and to prove how the labourers who had already gone to the island had prospered, it was shown that 622 persons had deposited 8,515 *l.* in the Government savings' banks, though, owing to the preference for secret hoarding, even this sum could not be considered to represent the whole of their economies. And the opportunity was taken to urge an arrangement by which family remittances could be made by those wishing to send money to India.

That Government prepares the legislati[ve] measure necessary t[o] permit emigration to Mauritius to be resumed.

The reply of the Government of Mauritius to the letter forwarding the new draft Act is dated 20th August 1842. It expresses full concurrence in the proposed enactment, and forwards copy of an Ordinance (No. 11 of 1842) passed to supplement the Order in Council and the contemplated legislation in India. This Ordinance enacts penalties against masters of ships infringing the regulations similar to those proposed in the Indian draft, and makes legal provision for the repatriation of immigrants at the end of five years. Warrants were also forwarded for the appointment of emigration agents at Calcutta, Madras, and Bombay, and it was stated that Mr. C. Anderson had been nominated for the post of Protector of Immigrants at Port Louis.

Mauritius Governme[nt] accepts the draft Act.

On the 2nd December was passed Act XV., 1842. It is to the following effect:—

Act XV., 1842, pass[ed]. Its provisions.

1. After reciting in full the Order in Council of the preceding January, it repeals Act XIV., 1839, and the Acts thereby repealed, as regards emigration to the Mauritius from the ports of Calcutta, Madras, and Bombay.

Repeals previous leg[is]lation as far as Mauritius is concern[ed].

2. Emigration to Mauritius from the three ports is permitted under the following regulations:—

Emigration to Mau[ri]tius from Calcutta, Madras, and Bomb[ay] permitted.

3. The local Government may appoint an emigration agent to be nominated by the Government of Mauritius; each agent is to make monthly reports to Government.

An emigration agen[t] at each port.

4. A license for each ship is to be obtained from Government, on payment of a fee not exceeding one rupee per emigrant. The master is to execute a bond, in duplicate, binding himself and owners in a penal sum of 10,000 rupees to conform to the prescribed conditions. One copy is to go to Mauritius. Any ship conveying emigrants without license is "liable to be forfeited," and the master is liable to a fine of 1,000 rupees for every emigrant illegally conveyed.

Licenses for emigra[nt] ships.

Bond to be execute[d].

5. No emigrant is to be received without a certificate from the emigration agent, stating name, father's name, age; and unless, having appeared before the agent, he has declared his willingness to proceed to work for hire in Mauritius.

No emigrant to be embarked without certificate from ag[ent].

6. Before a vessel can be cleared for Mauritius with emigrants on board, the master must produce a certificate from the agent showing—

Master must prod[uce] certificate from ag[ent] showing that rules [have] been complied wit[h].

(*a.*) That the agent has complied with Rule III. of the Order in Council;

(*b.*) That the directions contained in Rules IV.-VI., and VIII., have been obeyed; and

(*c.*) That the rules laid down by the Governor General in Council or President in Council, touching medical attendance and medical stores, kinds of provisions, number of women, "and other matters," have been complied with.

7. The computed lengths of voyages are to be—

Length of voyage defined.

From Calcutta—	
April—October, inclusive	10 weeks.
November—March	8 "
From Madras—	
April—October	7 weeks.
November—March	5 "
From Bombay—	
April—September	5 weeks.
October—March	6 "

8. Enforces Rule IX. of the Order in Council.

Rule IX. of Orde[r in] Council enforced.

9. The penalty for non-compliance with Sections 5, 6, and 8 of the Act to be 200 rupees for every emigrant illegally taken on board.

Penalties.

10. The penalty for taking emigrants on board after clearance to be 500 rupees for each emigrant.

11. Any act on the part of the master which fraudulently makes the certificate inapplicable to the ship, its passengers, or other matters to which the certificate relates, to be punishable by fine not exceeding 5,000 rupees, and forfeiture of license bond.

Powers of pilots and officers of Customs.

12. Pilots and Customs officers to have the same powers for the prevention of illegal embarkation of emigrants as the latter class possesses to prevent smuggling.

Punishment for crimping.

13. Crimping made liable to a fine of 500 rupees, or imprisonment for six months.

Special rules for Customs officer at Calcutta.

14. *Calcutta.*—The Customs officer to countersign the pass of each emigrant, and to keep a register; to remain on board as far as Saugor Roads, and not to come away till crew and passengers have been mustered before him and the pilot. After the departure of the Customs officer the pilot may take a muster, and require the master to sign the muster-roll. The Custom-house officer and pilot to make report with a declaration of observance of rules, and the report to be transmitted to the emigration agent. The penalty for false report to be 500 rupees, or, in default, six months' imprisonment.

Penalty for forgery of documents.

15. Forgery of any document required by the Act made punishable by imprisonment for seven years.

Penalties, how enforceable.

16. All penalties against master to be enforceable by information laid at the instance of the emigration agent, or an officer specially appointed, or by putting in suit the license bond given by the master.

Masters attendant at Calcutta, Madras, and Bombay appointed emigration agents.

Minor arrangements.

The warrants of appointment as emigration agents were issued to the masters attendant at the three ports. But these officers having other important and arduous duties to perform, it was determined, at all events at Calcutta, to appoint a working assistant to the agent. The contribution by the Mauritius Government was fixed at 8,000 rupees per annum, the balance of the amount of salaries being met from the fees leviable under the Act. The proposal of the Mauritius Government as to the remittances of coolies was accepted, and that Government allowed to draw bills for small sums on India at the exchange of the day, undertaking to transmit drafts on England periodically to meet the amount which might be thus drawn in favour of Indian labourers.

Rules framed for Calcutta.
Medical Examination.
Medicines.
Surgeon.
Dietary.
Water.
Proportion of women; maximum proposed, but disallowed by Court of Directors.

The rules framed at Calcutta provided for the medical examination of emigrants by the marine surgeon or his assistant, the supply of medicines according to scale, the shipping of a European surgeon or native doctor, and the supply of the following dietary: Rice, 28 oz., dál 4 oz., ghí or oil 1 oz., salt 1 ½ oz., onions 1 oz., tobacco 1 oz., chillies ½ oz., tamarind 2 oz. per diem; and five gallons of water a week. It was at first proposed to limit the proportion of women and children to 12 of the former and 20 of the latter to every 100 men. But the Court of Directors refused to sanction any maximum. It is strange that Lord Ellenborough, who, in the House of Lords, was loud in his denunciation of the "abominations" resulting from an insufficient proportion of women, should not have thought it necessary to prescribe a minimum.

Lord Stanley points out the necessity for an independent Protector besides the agent.

In 1843 the Court of Directors forwarded copy of a despatch from Lord Stanley, pointing out that the law, as passed, deviated from the scheme contemplated by the Colonial Office, which provided for a Protector of Emigrants as well as an emigration agent. This Despatch was dated 3rd May 1843. Mr. Bird recorded a Minute strongly supporting the proposal to have a separate Protector, which he showed was necessary, in order completely to carry out the intentions of Her Majesty's Government, the business of supplying emigrants having under Act XV., 1842, "as it stood, again become a speculation of the Mauritius planters themselves, who employed the agency houses of Calcutta to procure emigrants, which houses entertained crimps and duffadars to go into the interior, and, by false representations and other devices, induce ignorant people to agree to emigrate." Another consequence of the agent's abdicating his proper functions for those of Protector Mr. Bird pointed out to be that the emigrants were deprived of the benefit of those clauses of the Order in Council which were intended to secure them liberty of contracting with whom they pleased on arrival at Mauritius, for the planters formed a combination among themselves, and would not interfere with one another's arrangements. And the practice of enlisting prostitutes to fill up the ranks of the female emigrants would also be checked.

Mr. Anderson deputed to India by the Mauritius Government.

In the course of the same year the Governor of Mauritius having considered it advisable to send an officer to India to communicate with the Government of India on the subject of immigration into that island, Mr. C. Anderson was selected and deputed to Calcutta. The objects of Mr. Anderson's mission were to place the Governor General in Council in possession of well-defined information as to the number of labourers required at Mauritius, the annual supply which would be necessary to meet the reduction owing to ordinary mortality, and by immigrants returning to India, and to advocate the adoption of the measures best calculated to encourage the emigration of women and families. It was calculated that 30,000 labourers would meet the demands of the colony, and that of this number about 29,000 (among whom 2,700 women and 700 children) would have reached

Mauritius

Mauritius by the 1st of January 1844. The estimate is thus made by Mr. Anderson, writing in October 1843:—

Sailed from Calcutta - - - - - - -	13,679
To be despatched up to 20th November - - -	2,500
From Madras - - - - - - - -	11,000
„ Bombay - - - - - - - -	1,500
Total - - -	28,679

The annual supply estimated as necessary was then calcuated at from 1,500 to 2,000. As Calcutta was considered able to supply this amount, as the majority of the women-emigrants had already been obtained from Bengal, as it was not considered necessary to saddle Mauritius with the cost of three protectorates and three agencies, and as Calcutta was in most constant communication with Mauritius, it was decided to pass an Act without delay limiting emigration from the 1st of January 1844 to the port of Calcutta, and providing for the employment of a separate agent on the part of the Mauritius Government, and of a Protector on the part of the Government of India. His estimate of the supply of labourers required. Proposal to limit emigration to the port of Calcutta.

Accordingly, Act XXI., 1843, was passed on 11th November of that year, and received the full approval of the Court of Directors. It consists of but two sections: Act XXI., 1843.

Section 1 recites the probable reduction in the number of emigrants, and the necessity for providing for a larger proportion of women, and enacts that from 1st January 1844 emigration shall only be lawful from Calcutta. Restricts emigration to the port of Calcutta from 1st January 1844.

Section 2 authorises the Governor General in Council to appoint a Protector of emigrants at Calcutta, and enacts that no emigrant shall embark without a certificate from the agent, countersigned by the Protector. Authorises the appointment of a Protector at that port.

A new set of rules was now prescribed. The Protector was by these rules enjoined to see that the ship was fit for the conveyance of emigrants; that the space was sufficient; that she had a competent commander and chief and second mates, chronometers, and a barometer; that the prescribed dietary, water, medicines, &c., were taken on board; that the ship had either a European surgeon or a native doctor, certified by the Medical Board to be competent for the charge; and that the necessary bond was executed. His attention was directed to the various returns and lists which he was bound to keep, and he was especially directed to examine each intending emigrant "touching his acquaintance with the nature of the voyage, the employment he was likely to meet with, and the wages he was likely to get." and to be "particularly careful that no one embarked under erroneous notions in those respects." He was to see that the alleged proportion of women actually embarked. But no minimum was prescribed. Vessels sailing between 15th March and 15th September were to use steam from Garden Reach to Khedgree, if they carried more than one man for every five tons of burden. New rules.

The dietary was fixed as follows:—

Daily.—Rice, 20 oz.*; dál, 4 oz.; ghí, 1 oz.; oil, 1 ½ oz.; salt, 1 ½ oz.; turmeric, 1 oz.; onions, 1 oz.; tobacco, 1 oz.; chillies, 1 ½ oz.; tamarind, 2 oz. A week's supply of chúrá, gram, and sugar, at the following daily rate, to be taken on board in case of bad weather preventing the cooking of ordinary provisions:— Dietary.

Chúrá 1 ser, gram 4 chhatáks, sugar 1 chhaták.

Water 5 gallons a week per head. Water.

Firewood for 100 men or less, 400 lb. per diem. Fuel.
„ „ 100 to 200 - 600 „ „
„ „ 200 to 300 - 700 „ „
„ „ 300 to 400 - 800 „ „

I may here notice the substance of a series of reports received from Mauritius in 1845. Owing to the extension of sugar-planting there was great competition for labour. Each shipload of immigrants was at once engaged, the term of indenture having been fixed at one year. Each adult received 5 rupees per mensem in money wages, in addition to diet and clothing on a liberal scale, hutting, and medical attendance. Labourers of the earlier emigration who chose to re-indenture, received 7 rupees a month in money wages, and upwards of 10,000 labourers had so re-engaged themselves. Those who returned to India were, on the other hand, numerous. But the Colonial Government attributed this fact to the facility of intercourse between India and Mauritius, the short term of engagement, the good wages enabling the labourers soon to amass a little hoard, and in part to the enlistment by the agents in India of men unfit for agricultural labour. This latter evil soon tended to remedy itself in the then state of the labour market. Many of those returning to India returned, it was said, but for a time, and ultimately found their way back State of Indian labourers in Mauritius in 1845.

* I find no reason given for the reduction of the quantity of rice from 28 to 20 oz. But in the Calcutta dietary the latter figure was adhered to till 1865, when the daily ration of rice was raised to 24 oz. It was, however, afterwards lowered to 20 oz., an amount which experience has shown to be sufficient.

Committee in Mauritius, 1845.

Their proposals not accepted by the Governor.

He, however, proposes that the immigrant should pay for his conveyance to Mauritius, and forfeit his right to return passage, unless he served full five years as an agricultural labourer.

Rejected by Government of India and Court of Directors.

back to Mauritius. A Committee was appointed in the island in 1845 to consider the question of an increased labour supply. The majority of that body, representing the planters' interest, advocated an attempt to reduce wages by the introduction of a largely increased number* of Indian labourers, and the extension of the period of engagement to five years. Both these schemes Sir W. Gomm (then Governor) opposed. But to reduce the total expense to the colony of imported labour, he suggested that the coolie should be saddled with the cost of his passage to Mauritius, and should forfeit his right to a free return passage at the end of five years, in case he should, at any time within that period, have abandoned agricultural labour for other pursuits. The Government of India, however, strongly resisted the introduction of the change, and was fully supported in that resistance by the Court of Directors.

Colonial Office urges reopening of emigration to West Indies.

In a Despatch dated 6th December 1843, the Court of Directors forwarded to the Government of India copy of a letter received through the Board of Control from the Colonial Office, urging a re-consideration of the necessity for maintaining the prohibition of emigration from India to the West Indies. Lord Stanley pointed out the critical position of the sugar-planting interest, and expressed a hope that, if the Governor General could satisfy himself that emigration might be permitted with safety to the coolie, the embargo might be removed. The papers enclosed referred principally to the colony of British Guiana; but Lord Stanley also appealed to the experience of Mauritius, as showing that, under proper checks, emigration was advantageous to all parties, the emigrant himself included.

Results of previous brief emigration to British Guiana.

The papers from Demerara reveal the following facts. Of the 414 adult coolies who had left Calcutta for British Guiana, 18 had died on the voyage, and 236 returned to India in 1843.

The balance of 160 is thus accounted for:—

Deaths during five years of residence - - - - - -	98
Number absconded - - - - - - - - - -	2
Number electing to remain in the Colony - - - - -	60
Total - - - - - -	160

The returning labourers carried with them upwards of 20,000 dollars of acknowledged savings, or not far short of 180 rupees a head. Considerable mortality had occurred on two plantations; but these figures in themselves refute the extravagant statements of Lord Brougham.

Views of the Court of Directors.

The Directors recommended the question to the careful consideration of the Government of India, and advised, as a preliminary, the examination of the returned emigrants. It is not apparent that this suggestion was adopted; probably the return emigrants had dispersed before the receipt of the Directors' Despatch.

Government of India points out the difference between the case of Mauritius and that of the West Indian colonies.

On the 9th March 1844, Lord Ellenborough's Government replied in a Despatch which, while expressing full confidence in the proper regulation of emigration to Mauritius, pointed out the difference in the case of the West Indian colonies. The distance of the latter, the infrequent communication with India, the small size of many of the islands were dwelt upon, and the difficulties which would be created by competition between several agents, all recruiting in the same tracts and at the same time, were pointed out.

Modified proposal of Colonial Office.

To meet the objection in regard to the smaller West Indian colonies, Lord Stanley proposed that the prohibition should, for the time, be withdrawn only as respected Jamaica, Trinidad, and British Guiana; and, on the point of the possible competition between agents, he remarked that the immediate wants of the West Indies† would probably not be more than 5,500 labourers, viz., 2,000 for Jamaica and Demerara respectively, and 1,500 for Trinidad; at the outside Lord Stanley estimated the total emigration from India, including the Mauritius, at 20,000 persons, an amount of labour which might be provided by one agent, competition being thus avoided. A memorandum of the preliminaries necessary for the opening of the proposed emigration was also forwarded. It need not be given in detail. Suffice it to say that it contemplated the enforcement of much the same system of supervision, both in India and the colony receiving the emigrants, as had been introduced to control emigration to the Mauritius. It specially provided for the repatriation of the emigrants after five years, should they wish to return.

Court of Directors authorise Government of India to permit emigration to Jamaica, British Guiana, and Trinidad.

The Court of Directors being placed in possession of Lord Stanley's views, authorised the Government of India to permit emigration to Jamaica, Trinidad, and British Guiana from the ports of Calcutta and Madras. The Honourable Court took the opportunity to urge that it should be made essential that a per-centage of women (say 12 per cent.) should accompany emigrants, and that the emigration of children with their parents should be encouraged.

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* Till March 1844 no restriction had been put upon the employers wishing to import labour; in fact, the importers had actually received a bounty for each immigrant introduced. But from 1st April 1844 the "contingent" system had been introduced, under which the Colonial Government fixed the number to be imported.

† I have throughout written of British Guiana as a West Indian colony, though, of course, it is not so properly speaking. But it saves cumbersome periphrasis, and no question is prejudiced by the geographical inaccuracy.

encouraged. It was also suggested as desirable that a qualified Surgeon Superintendent should sail in each ship conveying coolies.

The Colonial Office, indeed, acted in anticipation of the necessary legislation, and appointed Mr. Caird, Emigration Agent for Mauritius at Calcutta, to act in the same capacity for the three West Indian colonies, and furnished him with a code of instructions. Shortly after, too, an agent was appointed for Madras, in the person of Captain Wilson, and it is worthy of remark that in the letter of instructions to this gentleman, dated 31st July 1844, the number of emigrants for the first year is put at 12,500, namely, 5,000 for Demerara, 5,000 for Jamaica, and 2,500 for Trinidad, a notable increase on the estimate of the previous month.

Colonial Office appoints agents at Calcutta and Madras.

The result of the application to the Government of India was the passing of Act XXI., 1844, which became law on the 16th November of that year. In reporting this measure to the Court of Directors, the Government of India explained that reliance was placed on the good faith of the Colonial Governments to secure emigrants proper treatment in the colonies, and a return passage to India on the expiry of their term of industrial residence, as well as due care on the return voyage.

Act XXI., 1844, passed on the understanding that the colonies concerned would take the necessary measures.

The following is a brief abstract of the provisions of Act XXI., 1844.

Its provisions.

Section 1 repeals Act XIV., 1839, and the Acts thereby repealed as regards emigration from Calcutta, Madras, and Bombay to Jamaica, British Guiana, and Trinidad.

Section 2 legalises such emigration.

Section 3 is identical with Section 3, Act XV., 1842.

Section 4 authorises the appointment of a Protector of Emigrants at each port of embarkation.

Repeals prohibition, in regard to Jamaica, British Guiana, and Trinidad and generally follows the terms of Act XV., 1842, as amended by Act XXI., 1843.

Sections 5 to 7 are equivalent to Sections 4 to 6, Act XV., 1842, as amended in regard to Calcutta by Act XXI., 1843.

Section 8 lays down the probable length of the voyage as follows:

Length of voyage.

From Calcutta - - - - - -	20 weeks
„ Madras - - - - - -	19 „
„ Bombay - - - - - -	19 „

and forbids any ships to sail, except between the 30th September and 1st March.

A close season prescribed.

Sections 9 to end are identical with Section 8 to end of Act XV., 1842.

The schedule, though modelled on the Order in Council embodied in Act XV., 1842, could not follow it throughout. One most important provision is not specially noticed by the Government of India, nor, indeed, in Lord Stanley's memorandum—I mean the provision which, in the case of Mauritius, rendered all contracts entered into before the emigrant had been 48 hours on shore null and void, and barred all suits for debts contracted before arrival in the island. But we may presume that these points were implicitly included in the general insistance upon the enactment of measures necessary to protect the coolie in the colony to which he might emigrate.

The schedule of necessity deviates from that of Act XV., 1842.

When informed of the nature of the Indian legislation Lord Stanley, while expressing a general approval, remarked that in some respects the adoption of the Passengers' Act would have been preferable; for instance, while the Indian Act allowed one passenger to every 12 superficial feet, the Passengers' Act insisted on 15 feet for intertropical voyages of more than 12 weeks' duration, and this provision the Emigration Board had seen no reason to consider too stringent. Again, though provision had been made for the execution of a bond by the master, on which he could be sued at the port of debarkation, the Passengers' Act would have permitted a more certain and summary procedure, applicable to any part of Her Majesty's dominions. The Secretary of State for the Colonies therefore recommended fresh recourse to legislation, noticing some minor points in which the Act was susceptible of amendment; and, in conclusion, he drew attention to the fact that the Passengers' Act applied to all passengers departing by sea, both from the West Indies and Mauritius,* and therefore fully met the wishes of the Indian Government as to regulation of the re-transport of Indian emigrants to their homes. In subsequent letters it was further represented (1) that, owing to the heavy surf at Madras in November and December, the season of emigration from that port was virtually reduced to three months, and that it was desirable to allow emigration to commence earlier than the 1st October; and (2) that the age of 10 years fixed as the definition of an adult was too stringent, the age in the Passengers' Act being 14 years.

Lord Stanley take certain objections t the Act.

Further minor amendments urge

One of these suggestions, the penultimate, was alone adopted. Act XXV., 1845, passed on the 20th December of that year, so far modified Act XXI., 1844, as to allow emigration from Madras to begin after the 31st August. As to the proposed alteration in the minimum space, it was represented that 12 feet of clear superficies has been found ample;

Act XXV., 1845, permits emigratic to the West Indi from Madras to begin after 31st August.

* Early in 1845 an Ordinance was passed by Sir W. Gomm, then Governor of Mauritius, to give full effect to the Passengers' Act, as affecting returning emigrants. Copy of this Act, as also of one relating to the administration of deceased coolies' estates, was received by the Government of India, and both Acts attest the care with which the Colonial Government then looked after the interests of the Indian immigrants.

ample; * and, in defence of the form of legislation adopted, the Government of India forwarded a Minute by Mr. Cameron. The Emigration Board accepted the views of the Government of India as to age and space, but, somewhat inconsistently, urged that hatchways, &c., should not be excluded in measuring the superficial space available.

At Calcutta the Mauritius rules declared to apply, *mutatis mutandis*, to emigration to the West Indies.

The rules for Mauritius emigration were at Calcutta declared to apply to emigration to the West Indies, the supply of food, water, and medicines being increased in proportion to the increased length of voyage, and warm clothing was to be provided. In May 1846 the daily rations of oil, salt, turmeric, onions, and chillies were reduced to ½ oz., 1 oz., ¼ oz., ⅛ oz., and ⅛ oz. respectively, and 1 oz. of gur every other day was added to the scale.

Arrangements at Madras.

Dietary compared with the Calcutta scale.

At Madras the Master Attendant was appointed Protector of Emigrants, and in January 1846 a code of rules got itself passed. The rules are not very exact. The dietary follows that for Calcutta under the Act of 1842, with the addition of four ounces of salt fish. Dry provisions, chúrá, gram, and sugar, for 18 days' bad weather were also prescribed, and the water supply was put at three-quarters gallon per diem, or a trifle over five gallons a week. On the occasion of the resumption in 1856, after an interval of some years, of emigration to Trinidad and British Guiana, the rules were revised, the chief change being the reduction of the daily allowance of rice to 20 ounces, and the ordering of a supply of fresh mutton or goat's flesh one day in the week. The rules were again revised some time between 1856 and 1861. Both these revisions were, strictly speaking, illegal, as they did not at the time receive the assent of the Governor General in Council, to whom from the first the power of making rules was reserved.

No rules passed at Bombay.

For Bombay no rules seem to have been passed under Act XXI., 1844, probably because no emigration to the West Indies ever took place from that port.

No minimum of women prescribed.

It will be observed that none of the codes of rules hitherto noticed provide any minimum proportion of women.

Resumption of emigration from Madras to Mauritius.

The measure urged by the Colonial Government in 1844, but disallowed.

It was not till 1847 that emigration from Madras to the Mauritius was again made legal. But in 1844 Sir W. Gomm had urged the measure. He represented that the annual supply of labourers required by Mauritius was not less, and would probably be more, than 6,000 men, exclusive of women and children; that wages had already risen to 7 rupees per mensem, a rate he (Sir W. Gomm) considered too high, and that it was absolutely necessary to maintain an open labour market; that the Madras labourers already imported were beginning to return in large numbers, feeling themselves, as it were, cut off from their friends; and, finally, that the communication between Madras and Mauritius was, during the south-west monsoon, much speedier than between Calcutta and that island. The Government of India, however, pointed out that the emigration for 1844 had been 6,068 men, 1,022 women, 483 boys, 171 girls, and 357 infants under two years of age, and that there would be no difficulty in obtaining the necessary number for 1845. Sir W. Gomm's proposal was, therefore, with the approval of the Court of Directors, for the time negatived.

But the point ultimately conceded.

Act VIII., 1847, puts emigration from Madras to Mauritius on the same footing as from Calcutta.

But the Colonial Government continued to press the point, and it being found, as a matter of fact, that the required number of 6,000 male adults could not be obtained from Bengal alone, the required concession was ultimately made by the passing, on 8th May 1847, of Act VIII. of that year. This law simply enacted that emigration to Mauritius might lawfully take place under the provisions of Act XV., 1842, as modified by Section 2, Act XXI., 1842, from Madras as well as from Calcutta.

Madras rules.

It was the intention of the Government of India that the rules in force at Madras in regard to emigration to the West Indies should be applied, *mutatis mutandis*, to the emigration to Mauritius which was then re-opened; but the Government of Madras thought fit to introduce a separate set of rules for Mauritius. They were to a great extent based upon the West Indian emigration rules; but they were worse arranged, and seem on some points (*e.g.*, the amount of water) to be inconsistent. Even when the revision of the West Indian rules took place in 1856, the Mauritius rules do not seem to have been touched, or any consolidation attempted.

Emigration from Madras to Mauritius not actually resumed till 1850.

Owing to Captain Wilson's unwillingness to act as agent for the Mauritius as well as for the West Indian colonies, emigration to the former colony from Madras was not at once resumed. Indeed, even when this difficulty was removed in 1848 by the suspension of emigration to the West Indies under orders of the Colonial Office (on account of the great mortality among the first importations), emigration to Mauritius from the Southern Presidency did not immediately recommence, and it was not till 1850 that the first shipload of labourers of the new emigration left Madras.

Emigration to Ceylon.

In 1847, the attention of the Government of India was drawn to an ordinance proposed by the Ceylon Government for the protection of Indian coolies in that colony. A letter was therefore addressed (6th February 1847) to the Colonial Secretary, pointing out that

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* Captain Rogers, the Protector at Calcutta, asserts that as the English measurement of 15 feet was obtained by multiplying the extreme length by the extreme breadth of the deck, the Indian 12 feet was at least equivalent to the fictitious estimate so obtained. There is, however, reason to doubt whether Captain Rogers was correctly informed as to the English rule. If he was, the rule was soon afterwards altered, and a mean breadth, calculated on three equi-distant measurements, substituted for the extreme breadth.

It is pointed out that such immigration is, strictly speaking, illegal. Government of India, however, willing to apply a legislative remedy, provided Colonial Government would take measures to prevent Ceylon becoming an entrepôt for emigration to other colonies in evasion of the law.

as the Indian law stood, it was illegal to abet the emigration of labourers from India, except to Mauritius, Jamaica, British Guiana, and Trinidad, but stating that the Government of India was willing to enter into communication with a view to permitting emigration to Ceylon under proper regulations, on condition that the Government of that island would undertake "to give native labourers of India the same protection against emigration *from* Ceylon as the Legislature of India and the Governments of the respective Presidencies had provided for them in their own country." The grounds of this view are thus briefly given in Mr. Cameron's minute:—"With reference to geographical, social, and historical associations, it is mere accident that Ceylon is under a different Government from Continental India. If that accident had not existed, if Ceylon had continued under the Government of Madras, instead of being transferred to the Colonial Office, there would have been no more reason for making it an exception as regards the free migration of labourers, which prevails throughout the territories subject to the government of the East India Company, than for making the Island of Bombay an exception. The case would clearly be one of migration, and not of emigration."

Conditions accepted by Ceylon Government.

The Colonial Government accepted the conditions, explaining that the emigration to Ceylon had been spontaneous and free from any of the evils to which emigration to more distant places was liable. Most of the emigrants were Tamils, who came by the Madura coast and the line of islands, sands, and shallows, forming the imperfect land passage known as Adam's Bridge. There were, however, some stragglers from Bombay, and a few Dhangars from Bengal. These latter were found superior in "intelligence and activity" to the Tamil labourers, and the colonists were desirous to obtain more of them.

Act XIII., 1847, removes the restrictions on emigration to Ceylon.

Act XIII., 1847, was accordingly passed in August of that year. It repeals Act XIV., 1839, in so far as it makes liable to penalties every person contracting with natives of India for labour to be performed in Ceylon, or aiding and abetting natives in emigrating to Ceylon. It is provided that the Act is not to come into force till the Governor General in Council notifies that he has been certified that the Legislature of Ceylon has sufficiently provided for the protection of immigrants. On the 5th November 1847 the Government of India received copy of Ceylon Ordinance No. 3, "to prohibit natives of India from entering into contracts in this island for labour to be performed in any British or foreign colony beyond the limits of this island, and without the territories of the East India Company, or from emigrating from this island to any such colony for the purpose of employment as labourers," and, under date the 13th idem, it was notified that Act XIII., 1847, had become law.

Proviso.

Brought into force by notification.

Subsequent relation with Ceylon.

Though somewhat out of chronological order it may be as well to jot down here the subsequent history of the relations between the Government of India and that of Ceylon in regard to emigration.

Relaxation of rules in favour of steamers—1859.

In January 1859 the Government of Ceylon reported certain measures which had been taken to "regulate and promote emigrant labour," and, in consideration of the difficulties and risks to which immigrants by the Manaar route were exposed, desired to encourage the use of steamers, and with that view asked that the tonnage rule might be relaxed. The Government of Madras was consulted, and reported that it had already taken action to the following effect:—Each steamer was to be licensed under Sections 21 & 22 of Act XXI., 1858, on its own merits, but with a minimum (Section 2, Act I., 1857) of four superficial feet of space per passenger. Inspections were to be made every six months, and the duty of granting certificates was imposed upon the masters attendant at Madras, Tuticorin, and Cochin. The Government of India tacitly accepted these arrangements.

Proposed emigrati[on] from Ganjam to Ceylon.

In October 1859 the Government of Ceylon proposed to import labour from Ganjam, but the Government of Madras objected. A long correspondence followed, and at length (in 1862) the Colonial Government discovered that the Madras Government had no legal *locus standi* in its opposition, and referred the point to the Government of India. That authority ruled that there was no reason why Act XIII., 1847, should not operate, but stipulated that the Government of Ceylon should keep the Governor General in Council informed of all changes in the law affecting immigrants. It was pointed out to the Government of Madras that in Ceylon there were no negroes and no traditions of slavery, the colony being thus distinguished from Mauritius and the West India Islands.

Abolition of Return passage

Mauritius asks t[o be] relieved of obligation to pro[vide] return passage.

Request acceded on certain conditions.

In 1851 the Mauritius Government pressed upon the Government of India the consideration of the question whether the colony should not be relieved of the cost of providing return passages for emigrants at the end of five years. At first the Government of India assented under certain conditions. These, however, were considered by the Mauritius Government to hamper the concession so materially as to make it of little use. And, when the subject was again urged, it was agreed that prospectively the stipulation of free repatriation need not be insisted on, provided that the colony undertook to provide return passages for those unable from sickness or real destitution to provide their own, and that, in case of labour falling short, the duty of the Mauritius Government to repatriate the Indian immigrants should still be recognised. The cheapness of the passage was a material consideration in this decision, it being represented that a coolie could purchase his return to India for 1 *l.* 7 *s.* It seems, however, to have been, both at the time and

ever since, overlooked* that a return passage at the end of five years was made legally binding on the colony by Section 1, Act XV. of 1842.

Government of India permits extension of period qualifying for return passage from five to ten years in case of British Guiana and Trinidad.

Another step in the same direction was carried out in the same year (1853) in regard to certain of the West Indian colonies. Lord Dalhousie, with the support of Sir B. Peacock, consented to accede to the representations of the colonial authorities, and permitted the extension of the period of industrial residence in British Guiana and Trinidad from five to ten years. Mr. Dorin was opposed to the measure. Sir B. Peacock seems, from his Minute, to have been influenced by the favourable report then just submitted by Mr. Caird of the state of the coolies in British Guiana and Trinidad, which colonies he had personally visited. But Mr. Caird writes in very general terms, and perhaps ought not to have been considered altogether an unbiassed witness. Sir Barnes Peacock argued that it was a question altogether for the emigrant to consider whether it was worth his while to emigrate with return passage not provided till after 10 years' residence.

Same policy pursued in regard to further proposals in the same direction.

But these latter changes were never put in force.

The Government of India held to the same course when it was proposed (1), in the case of Trinidad, to abolish the right to a free return passage altogether; (2), to require the coolie even after the expiry of his 10 years' residence, to contribute 35 dollars to the cost of his repatriation; and (3), only to give a free passage to those who should claim it within 18 months of its becoming due. At the same time the Government of India pointed out that the conditions might become so onerous as to interfere with the free flow of labour to the West Indies. Indeed, upon the promulgation of the rule as to contribution towards return passage, this was found to be the case, and the Colonial Governments receded from their position.

Proposal to allow commutation of right of return passage for money or land.

Views of the Court of Directors, and of the Government of India.

In 1857 proposals for the entire commutation of the right of return passage, in consideration either of a money bounty or a grant of land, were forwarded for the opinion of the Government of India. In referring the matter, the Court of Directors observed: "We should view with great jealousy any proposals for depriving the natives of India of the absolute right to a return passage to their own country, unless such provisions could be framed as would perfectly secure them from the risk of undue influence when it was sought to obtain their consent to an arrangement for keeping them in the colony." In these remarks Lord Canning's Government expressed concurrence, with some reservation. "If the coolies," said their Despatch, "give an intelligent consent to any new conditions of emigration that may be proposed to them, it does not appear to us that there will be any good ground on which to prohibit them from accepting such conditions. At the same time we feel confident that if the officers of the Indian Governments do their duty in the way of explanation, no coolies, or very few, will emigrate without a right to a return passage. To prohibit an Indian labourer from selling to the colony his absolute right to a return passage, after he has actually obtained that right, could only be justified, in our opinion, on the ground that there is great risk of the coolie in the colony being forced, or otherwise unfairly induced, to enter into the bargain by the colonial authorities. And as no such imputation can be made, it appears to us that the labourers should be left to make their own bargain, care being taken to protect them against unfair treatment; and that with this view a Protector of Immigrants should be appointed by the Government of India or your Honourable Court to reside in the colony. It should also be provided that no contract for commuting the right of a return passage shall be binding on any Indian labourer, unless entered into after full explanation of the effect of the contract being made by such Protector of Immigrants. The Protector of Immigrants, by whomsoever appointed, should be a person thoroughly acquainted with the language and habits of the coolies, and one who is known to take an interest in their welfare."

[N]ecessity of Colonial [P]rotectors.

[Fi]nal result of the [dis]cussion.

In 1859, the Secretary of State (Lord Stanley, now Lord Derby) assented, in regard to British Guiana, to any arrangement which allowed commutation of the right to a back passage, provided the voluntary character of the transaction were assured. An Ordinance passed in November 1858 had already permitted such commutation in Jamaica, the consideration being either money or land, or partly money and partly land. In Trinidad the same system was afterwards introduced, and in that colony seems to have reached the widest practical application.

[Na]rrative of legisla[tio]n resumed.

[Ac]t IV. 1852 extends open season of [We]st Indian emigra[tio]n from Calcutta: [lega]lises emigration [fro]m Bombay to [Ma]uritius: reduces the [min]imum of height [bet]ween decks, substitutes a [cub]ic for a super[ficia]l minimum of [spac]e.

To return to the course of legislation in India. The history of Act IV., 1852, passed in January of that year, is almost sufficiently given in its preamble. Sections 1 and 2 extend the time of sailing for the West Indies from Calcutta, making the open term from 1st September to the end of February. Sections 4 and 5 allow emigration from Bombay to Mauritius, and provide for the appointment of a Protector at that port. These measures were passed without discussion, upon the application of the Colonial Office. They were, in fact, under existing circumstances, not open to objection. Section 3 is a provision of more doubtful expediency. It permits the reduction of the minimum height between decks to 5½ feet, and for the minimum of 12 superficial feet for each adult laid down by Act XV., 1842, it substitutes a minimum of 72 cubic feet. The minimum by tonnage remained unaffected. This change was made reluctantly, on the repeated and urgent remonstrances of the Mauritius Government. It is, however, now the universal rule, although a minimum of superficies has since been super-imposed. The history of the checks on overcrowding will be noticed further on.

[Mad]ras Government [brin]gs to notice the

It had undoubtedly been among the intentions of Act XIV., 1839, to stop all emigration from the territories of the East India Company, whether directly or indirectly, to foreign colonies.

* I find that in 1864 the Government of Mauritius did bring to notice the discrepancy between the law and practice. But no action was taken in the matter.

colonies. But in 1849 the emancipation of the slaves in the French colonies, a measure carried out the year before, began to make itself felt, and the Government of Madras brought to light a system of emigration from the French Indian ports of Pondicherry, Karikal, and Yanam to Bourbon or Réunion, which was carried under the eyes of the French authorities, and there can be no reasonable doubt with their direct abetment, and under which natives of the Company's territories were crimped and kidnapped and shipped to French colonies in overcrowded vessels, to become on their arrival little better than prædial slaves. The Government of Madras, while repressing the indiscreet zeal of the magistrates of the coast districts, which might have led to political complications, urged a very serious representation to the French Government. The Government of India, on the other hand, did not think such an extreme step necessary, and relied on a strict enforcement of the Act to repress the practices of French agents in our territories. Owing, however, to the great demand for labour in Réunion, and the consequent high prices offered for coolies, as also to the leniency of the punishment awardable under the Act of 1839, the infamous system continued, in proportions but little diminished. And this, notwithstanding the vigorous exertions of the magistrates of the coast districts, is attested by long lists of convictions.

prevalence of illegal emigration to Réunion by way of French Indian ports.

Madras Government urges a representation to the French Government.

Government of India prefers to rely on a vigorous enforcement of the law.

In 1850 the Government of Madras forwarded papers which threw doubt upon the legality even of such convictions. In order, therefore, to set at rest the question what acts in connexion with the emigration of natives were really prohibited by law, it became necessary to pass an amending measure. This was accordingly done in the shape of Act XXIV., 1852, of which the following are the provisions :—

Doubts raised as to the legality of convictions; hence the necessity for Act XXIV., 1852.

Section 1 defines the offence of crimping, which Act XV., 1842, left vague. Section 2 defines emigration, so as to set at rest any doubt as to whether passage by land out of the Company's territories was embraced in the meaning of the term. The 3rd Section exempts from restriction *bonâ fide* emigration to foreign settlements on the mainland of India, but takes care to define what should be considered *bonâ fide* emigration in such case. Thus these three sections remove all doubts as to the jurisdiction of magistrates in British territory in dealing with French crimps and agents. The remaining sections arm the courts with greater punitive powers. Thus a crimp within the meaning of the Act is made liable to imprisonment for six months and a fine of 500 rupees. Any person who shall, by means of intoxication, false imprisonment, or intimidation, or by means of any false promise, pretence, or representation, force or decoy any native of India out of the territories under the Government of the East India Company, or fraudulently cause any such native to depart from the said territories, is made liable to imprisonment for three years. Hard labour may be awarded as an adjunct. Imprisonment for three months for each native contracted with, not, however, exceeding six months in the aggregate, may be awarded under Section 2, Act XIV., 1839; and a second conviction under that section involves liability to imprisonment for one year.

Its provisions. The offence of "crimping" defined.
"Emigration" defined.
Bonâ fide emigration to foreign settlements on the mainland exempted from restriction.
General result of above provisions.
Purport of the remaining sections.
Penalty for crimping.
Penalty for forcing or decoying a native out of the territories of the East India Company.

The Act does not seem to have produced any immediate effect, for within four months of its passing the Government of Madras reported the continuance of the practice of decoying away British subjects and shipping them to Réunion, either from Pondicherry or Karikal, and recommended, as some check upon this practice, that emigration to Mauritius should be allowed to take place from one of the southern ports, as Negapatam or Tranquebar. The question, however, merged in the more general one then pending, of a removal of the existing prohibition against emigration to French colonies. In the meantime the Government of Madras was allowed to establish a Mauritius branch agency at Karikal, and thus, to some extent, to baffle the French recruiters.

The Act apparently not efficacious.

Executive measures taken to prevent illegal practices of agents from Réunion.

St Lucia & Grenad

In 1855 an application from the Colonial Office for the opening of emigration to St. Lucia and Grenada, two of the Windward Islands, came under the consideration of the Government of India, and a law was passed on the subject. This law, as Act XXXI., 1855, received the assent of the Governor General on the 14th November of that year, and nearly placed St. Lucia and Grenada in the same position as the other West Indian colonies of Jamaica, British Guiana, and Trinidad then occupied, a position defined by Act XXI., 1844, as modified by Acts XXV., 1845, and IV. and XXIV., 1852. On one point, however, the new Act reverted to the original legislation. The minimum height between decks which had been reduced by Act IV., 1852, was fixed for voyages to St. Lucia and Grenada at six feet, as in Act XXI., 1844, because as Mr. (Sir B.) Peacock stated in Council, it had been found that no ships did sail for the West Indies having less than the greater height between decks. Another minor point of variance was that, while the existing law allowed the longer season only to Madras and Calcutta, the new Act extended it to Bombay as well. The point, however, is of no practical importance, as there has never been any emigration from Bombay to the West Indies, a fact which was, doubtless, the cause of the inconsistency in legislation. The most important change, however, was the addition to the law as respected St. Lucia and Grenada of a section (Section 17), declaring that the Act was only to take effect when the Government of India should notify that such regulations had been provided and such measures taken in the colonies as might be considered necessary for the protection of emigrants during their residence, and in respect of their return to India. The St. Lucia Ordinance first forwarded for the information of the Government of India did not seem to fulfil these conditions. The objections taken

Opening of emigration to Grenada and St. Lucia. Act XXXI., 1855.

Effect of the law.

Minor differences as compared with the larger West Indian Colonies.

Important clause making the application of the law conditional on the Government of India declaring itself satisfied with the colonial arrangements.

Objections taken under this Clause to the St. Lucia Ordinance.

taken were: (1.) That the competency for his duties of a protector or agent remunerated by a salary of 50 *l.* per annum was doubtful. (2.) That no provision was made for the appointment of an officer acquainted with the language and habits of the emigrants. (3.) That there was no security for the provision of a return passage. (4.) That if the amount of back passage was to be recovered from the emigrant, it should be done by gradual instalments, for which there was no provision, and (5.) That arrangements were wanting for the safe custody of property left by emigrants dying in the colony.

Discussion of these objections.

The objections of the Government of India were communicated to the Colonial Office and to the Emigration Board. The latter body argued that both the St. Lucia and Grenada Ordinances were framed in accordance with general instructions conveyed by the Duke of Newcastle, and that in point of fact they closely followed certain approved Trinidad and British Guiana Ordinances respectively, and therefore should be held to make sufficient provision for the protection of Indian labourers. With regard to the specific objections urged by the authorities in India, the Emigration Board represented that the function of protection to a great extent devolved upon the stipendiary magistrates, the duties of the immigration agent being principally to inspect ships on arrival, to allot emigrants and to keep the necessary registers; duties, the Board maintained, which were fully remunerated in small colonies, such as Grenada and St. Lucia, by salaries of 50 *l.* a year. The plan of getting out a protector from India had, they said, been already tried in other and larger colonies, but had failed. They consented, however, to a clause which should require an interpreter to accompany every hundred emigrants. With regard to repatriation, they pointed out that in other colonies there was nothing more than a generally worded pledge that Government would provide a back passage, and that there was necessarily some delay in collecting a number sufficient to warrant a ship being chartered. But the Board admitted that labourers should be in some way compensated for the delay, and they proposed a payment at the rate of six dollars for every half-year of detention beyond the date on which any labourers might become entitled to a return passage. The claim to a contribution from the coolie towards the cost of his repatriation, the Board pointed out (and we have already seen) had been abandoned. The necessity for some provision for the safe custody of the property left by coolies dying in the colony was also conceded.

The compromise proposed by Emigration Commissioners forwarded to Government of India.

Lord Canning's Minute.

The point conceded as to Grenada, and notification issued.

But as to St. Lucia, Government of India refuses to yield.

This proposed compromise, with copy of the Grenada Ordinance, was, with a very hesitating and conditional support, transmitted to India by the Court of Directors in a Despatch dated 17th June 1856. The reply of the Indian Government was chiefly based on a Minute by Lord Canning, written, it is to be noted, soon after receiving from Mr. Eden certain very unsatisfactory accounts as to the treatment of labourers on their first arrival at Mauritius. With regard to Grenada, the point was conceded on the understanding that the recommendations of the Emigration Board would be carried out, though a doubt was still expressed as to the sufficiency of the salary proposed for the Immigration Agent. And the necessary notification was issued on the 12th September 1856, from which date, therefore, emigration to Grenada became legal. But in respect to St. Lucia the Government of India refused to yield. A comparison was instituted between the Ordinance of that colony and those of Trinidad, and the following extract from the Despatch will show the points upon which the former was considered defective:—

Objections to the St. Lucia Ordinance.

No provision for the inspection of ships for reception of emigrants, to prevent the separation of families.

Deduction made from wages for medical attendance.

Contributions towards back passage.

No provision to ensure a sufficiency of work.

"5. But the case of St. Lucia is very different. Not only is the model Act of Trinidad departed from in respect of the salary of the agent, but many of the provisions of that Act, designed to protect the immigrants, are either omitted altogether, or less favourably framed. For instance, it is not required that immigrant ships should be inspected either upon arrival or departure. No provision is made for the reception, lodging, or feeding of the unemployed immigrant upon his first landing. No rule is laid down to guard against the separation of families in locating immigrants. A deduction is made from the wages of the immigrants for medical attendance and lodging, while in other colonies the employer is bound to find these without deduction. The immigrant is required to pay towards defraying his passage home as a consideration for being exempted from industrial service under indenture after the first five years; but in the other colonies he is, at the end of five years, free from industrial service without any payment. No means are taken for securing that an immigrant whose contract with his employer is that he is to be paid according to the quantity of his work, shall be released from his contract if he does not receive work sufficient to enable him to earn a just amount of wages. There is provision for this in the regulations of Grenada.

No provision for return of emigrants incapacitated for work.

"6. We desire further to point out that Section 22 of the Trinidad Ordinance is omitted in that of St. Lucia. By that Section the Government may authorise the Agent General of Immigration to grant a certificate of exemption from industrial residence to any immigrant who, from sickness, accident, or other cause, shall appear to him incapable of labour, and may send any such immigrant back at the expense of the colony to the port in India from which he emigrated. Similar enactments are contained in the British Guiana Ordinance, Section 54, and in the Grenada Ordinance, Section 56. The provision is a most important one; for without it a coolie, who, from sickness or accident may be prevented from earning his livelihood in the colony, may have no means of returning to his family and relations in India.

"7. We consider it a very important part of the duties of the Protector of Immigrants, or immigration agent, in every British colony, personally to inspect every vessel arriving at

or

or leaving the colony with immigrants on board for the purpose of ascertaining whether the provisions of the law have been complied with, to make periodical visits to every estate upon which immigrants are employed, to inspect the immigrants employed upon such estates, to see that they are properly lodged, fed, and treated by their employers, and to inquire into any complaints which the immigrants may have against their employers. Provision is made by the Trinidad Ordinance for the discharge of these duties, but no similar provision is made in the Ordinance of St. Lucia, which was taken from it, nor are those duties enumerated by the Colonial Commissioners in their letter amongst the principal duties of the immigration agent.

No provision for inspection of estates.

"8. It is stated, however, by the Commissioners that a vigilant superintendence is exercised over immigrant labourers in each district of St. Lucia and Grenada by stipendiary magistrates, who send in to Government, so long as it is requisite, periodical reports of the treatment and state of immigrants. The Ordinance for St. Lucia authorises the stipendiary magistrates to perform this duty, but it does not require them to do so (Section 22); so also the Grenada Ordinance authorises, but does not require, the immigration agent to perform this duty (Section 52); whereas the Trinidad Ordinance requires the immigration agent to visit every estate on which immigrants are employed twice at least in every year. For the present we have no objection to act upon the statement of the Emigration Commissioners that the stipendiary magistrates do, in fact, exercise a vigilant superintendence over immigrant labourers; but we request that your Honourable Court will obtain through the Colonial Office, and transmit to us, a copy of the rules laid down in each of the colonies for the direction and guidance of the stipendiary magistrates with reference to the discharge of this important part of their duties.

"9. The Emigration Commissioners state that the contribution towards back passages has been wholly abandoned for the present. If this be the case, we think it essential that the Ordinances should be amended accordingly, for we are not aware of any resolution binding on the colonies to that effect; and, as long as the Ordinances in force require such contributions, we do not think that the coolies about to emigrate can fairly be told that such contributions will not be required.

Ordinances shoul be amended in regard to contributi to back passage.

"10. With regard to the proposed payment of six dollars for every half year which intervenes between the application for a passage home by a coolie who is entitled to it, and the offer of such back passage, full explanation will be made to every coolie as to the terms upon which he is about to emigrate, as he must not be led to believe that a back passage will necessarily be provided at the end of ten years. We are not disposed to object to the emigration of labourers on these terms, provided they are thoroughly explained and understood by every coolie before he agrees to emigrate; but we think that, if a passage be not provided for every labourer at the time at which he becomes entitled to it, at least three months' notice ought afterwards to be given to him of the time at which the passage will be provided for him, so as to enable him to put an end to any contract of service by which he may have bound himself in the interval between his application for a passage home and the offer of one, and to avail himself of the offer, and that payment at the same rate should be made for the whole of the three months."

Delay in providi back passage.

It is obvious that two of these objections, viz., those founded on the levying from the emigrant of a contribution towards his back passage and on his being saddled with the cost of lodging and medicine, were inconsistent with the policy before enunciated by the Government of India, which would merely have required that intending emigrants should be made fully aware of these conditions of their contract. This the Emigration Board did not fail to perceive. They discussed at considerable length the objections raised by the Government of India. They explained that the St. Lucia Ordinance was framed in April 1854, on the model of a Trinidad Ordinance of 1850, while the comparison instituted by Lord Canning and his colleagues was between the former and a subsequent Ordinance of Trinidad, not passed till November of the same year. To the objection that no provision was made for the inspection of coolie ships on arrival, the reception and support of immigrants previous to allotment, and the non-separation of families, the Emigration Board replied that these duties were performed by officers acting under the immediate orders of the Executive Government; and "the same kind of answer" was "applicable to the objection that magistrates were only authorised but not required to inspect and receive complaints upon the estates on which coolies were located." With regard to deductions on account of medical attendance and provision grounds, the Board remarked that unindentured labourers, by whose earnings those of the coolie were to be estimated, did not receive these boons gratis. The Board pointed out that the Government of India had already acceded to the regulation intended to secure ten years' industrial residence, by requiring a contribution from the coolie towards his back passage in cases where the whole residence had not been "industrial," *i. e.*, spent under indenture, and that St. Lucia did not stand alone in this respect. The increasing demand for labour in all West Indian colonies made it improbable, in the opinion of the Emigration Board, that there would be any necessity for a provision to prevent labourers paid by the task being left without work, and therefore without pay. St. Lucia being a Crown colony, it was unnecessary to make special provision for the repatriation of Indians incapacitated for work, as the Lieutenant Governor had a general power of sending any coolie back at the expense of the colony. Finally, with regard to delay in the provision of back passage, the

Certain of these objections incon sistent with previous policy.

The reply of th Emigration Boa

Emigration Board admitted the liability of the colony to afford the coolie means of support during the interval of detention.

Views of the Colonial Office.

The views of the Emigration Board were accepted by the Colonial Office, and the adoption of the amendments proposed by the Government of India, with the exception of that relating to payment in lieu of industrial residence, on which the Colonial Office held itself pledged in honour to the colonists not to recede, were urged upon the administration of St. Lucia. In the Ordinance ultimately passed by the Colonial Legislature even this last point was conceded.

Emigration to St. Lucia legalised.

This Ordinance was communicated to the Government of India in October 1857; but, doubtless, owing to the circumstances of the time, no immediate orders were passed upon the Despatch, and it was not till Lord Stanley (now Lord Derby) drew attention to the matter that the necessary notification was, on the 5th November 1858, published, and emigration to St. Lucia legalised.

Suspension of Emigration

Power of suspension necessary.

Act XIX., 1856.

In the course of this correspondence it had been suggested by Lord Canning that the Government of India should have the power of suspending emigration in certain cases. A measure for this purpose was introduced and became law as Act XIX., 1856. It enables the Governor General in Council, by notification in the "Gazette," to suspend emigration to any British colony when he has reason to believe that proper measures have not been taken for the protection of emigrants immediately upon their arrival in such colony, or during their residence therein, or for their safe return to India, or to provide a return passage at or about the time at which they are entitled to it. The Governor General in Council may also revoke in the same way any such suspension.

Temporary suspension of emigration to Mauritius in 1856–57.

Circumstances which led to it.

It was, in fact, the report from Mauritius, to which allusion has been made above, that led Lord Canning to represent the necessity for such a law, and the facts soon afterwards fully disclosed, furnished the grounds for first putting the law into force. In September 1856 accounts were received of excessive mortality among the emigrants who had sailed from Calcutta in two ships,—the "Hyderee" and the "Futteh Mobarick,"—while in quarantine upon Gabriel Island, near Port Louis. The "Hyderee" arrived on the 5th January 1856 with 272 immigrants, and the "Futteh Mobarick" on the 9th idem with 380. Though there were then no symptoms of cholera, the immigrants were ordered into quarantine on Gabriel Island, where they were landed between the 14th and 18th. Inadequately sheltered—if, indeed, they had any shelter at all—exposed to a specially inclement hurricane season, placed in charge of a drunken and incapable doctor, and insufficiently supplied with fresh water and medicines, it is no wonder that these poor wretches fell a prey to cholera, fever, and dysentery. The result was that, when the remnant was released from quarantine, on the 6th of May, out of 697 souls landed 284 had perished. The report first furnished by the Government of Mauritius was very meagre, though the naked facts were sufficiently piteous. Further information was, however, obtained from the Honourable A. Eden, who had been on leave in Mauritius, and from other sources; and as it appeared that the Government of Mauritius had it in contemplation to continue to use Flat and Gabriel Islands as a lazaretto, though in bad weather they were quite cut off from the main island, the Government of India determined at once to suspend emigration to the colony. This was done by notification dated the 24th October 1856, and the measure, with the reasons for it, at once communicated to the Government of Mauritius and to the Court of Directors.

Defence of the Government of Mauritius.

Lord Canning's Minute.

The former replied in a voluminous Despatch, with voluminous enclosures. Into the attempt at self-vindication therein made it is not necessary to enter. The Government of India and the Court of Directors held that neglect was proved. To quote Lord Canning's Minute—"The Governor of Mauritius owns that two errors were committed—the reliance on tents for shelter, and the nomination of Dr. Finley as Surgeon Superintendent. A third error is subsequently acknowledged by His Excellency, on the part of the chief medical officer, in not having sent to the lazaretto, when the outbreak of disease was declared, a large supply of extra diet and medical comforts. But it is contended that these errors do not show either indifference or neglect. It will profit little to discuss now the source from which they sprung. That the shelter provided was inadequate, the medical officers incompetent, and the medical comforts and diet insufficient, is admitted. Notwithstanding what is stated of unusual inclemency of weather, of the doctor's diploma and qualifications, and of the spirit in which the instructions of the chief medical officer were given and executed, I must be allowed to say that a close examination of the letter under consideration, and of the papers accompanying it, has convinced me that these errors might have been avoided by due care and consideration, *i. e.*, by such care and consideration, forethought, and preparation as might reasonably be looked for in the government of a colony eager to receive immigrants and expecting to receive them, but resolved, in the event of their arriving with sickness amongst them, to subject them to a rigorous quarantine on a spot which, then at least, was considered to be of 'extreme inaccessibility.' That the consequences of the error were fearfully aggravated by that inaccessibility, which prevented the timely remedy and even the knowledge of them, is not contested. I find then in this letter no reason to believe that the opinion expressed by the Government of India upon the proceedings of the colonial authorities is not substantially just."

With

Suspension withdrawn.

Subsequent history of quarantine at Port Louis.

With regard to the future, however, as the Mauritius authorities had been thoroughly roused by this great disaster, and had spent a large sum to make Flat Island less inaccessible, while the quarantine rules were so modified as to allow quarantined vessels to ride at a safe anchorage in bad weather instead of putting out to sea as they had before been compelled to do, the Government of India consented to allow the renewal of emigration, and the embargo was removed by a notification dated the 27th April 1857. Once, afterwards, in May 1859, the Government of Bengal had to complain that an emigrant ship had been detained at Mauritius for 16 days in floating quarantine, and that the crew and passengers had suffered much hardship. A strong representation was made to the Government of Mauritius. In reply, it was explained that there had been an unusual demand for lazaretto accommodation, several vessels with small-pox on board having come in together, and the number of emigrants on board having exceeded 2,300. The delay was due to the necessity for extending the lazaretto; but arrangements had been made for the future to provide accommodation in quarantine on shore for as many as 3,750 persons.

Breaches of the Act in 1856.

The year 1856 was marked by certain infringements of the emigration laws on the part of employers of labour in Mauritius and Réunion. The first case which came to the notice of the Government of India was that of the "Glaneur," a French ship, which had been permitted to sail from Aden with 132 emigrants, mostly natives of Bombay, under engagement with a French firm, to proceed, for purposes of labour, either to Mauritius or Bourbon. On the arrival of the ship at Port Louis the colonial authorities at first refused to admit the emigrants; but when it appeared that the ship was not in a fit state to proceed, the passengers were permitted to land, and absorbed among the India labouring population. The officers at Aden permitted a similar open violation of the law in the case of another French ship, the "Immaculée Conception," which sailed with 401 natives of Bombay. This vessel seems to have proceeded to Réunion, not Mauritius. A vessel also left Aden about the same time, carrying some 60 Arabs, Seedees, and Somalees, not, however, British subjects.

Instance of evasion.

The cases of the "Glaneur" and "Immaculée Conception" were flagrant breaches of the law; that of the "St. Germain" was in the nature of an evasion. The agents of the Mauritius Dock Company shipped on board that vessel at Bombay some 200 labourers, without any attempt to comply with the provisions of the Act, under the pretence that the men were merely passengers, and came under one of the exemptions of the law as it then stood. The flimsiness of this pretence was manifest on the face of the contracts into which these emigrants had been induced to enter, and which stipulated for the payment by them, out of future earnings, of passage money at the monstrous rate of 16 *l.* per head. Any contracts made in India were then null and void by the law of Mauritius. But the stipendiary magistrate at Port Louis failed to explain this to the emigrants, who were ultimately left in the hands of the dock company at the ordinary wages of labour. The Colonial Government very properly interfered so far as to have it explained to these labourers that the stipulation as to re-payment of passage money was altogether void, and the magistrate was very severely reprimanded by Mr. Labouchere, the then Colonial Secretary, for his defective appreciation of his duty towards emigrants. As it appeared that an Ordinance of 1842, imposing penalties on violation of the rules as to emigration in force in India, had, by some oversight, not received Her Majesty's confirmation, and had therefore lapsed, a fresh law was passed, subjecting to very heavy penalties any person abetting emigration in breach of the Indian enactments, and upon the master of any ship conveying emigrants without a license. Thus the necessary measures to check the practice were taken in Mauritius. In India the Government of Bombay seemed hardly alive to the obligation which lay upon it, and a rebuke was administered by the Government of India and the Court of Directors, and a stricter enforcement of the law enjoined; a case of the kind which had occurred on the Malabar Coast, under the Government of Madras, and in which the master had been sentenced to pay a fine of 1,200 rupees, or in default suffer 12 months' imprisonment, being cited with approval. The apathy of the officials at Aden in allowing the "Glaneur" and "Immaculée Conception" to sail in defiance of the law was strongly condemned; and even in regard to the Arabs and others not British subjects, who had been allowed to sail in the third ship, it was pointed out that, though not illegal, such operations should not be directly countenanced.

Measures taken in Mauritius and in India.

Illegal emigration to Réunion.

From certain allusions in this correspondence it would seem that a good deal of illegal emigration, both to Bourbon and other French settlements, had been going on from the West Coast. But the Government of India hardly thought that the complicity of the French authorities had been proved sufficiently to warrant a representation to the French Government.

Mortality & Mouat report

Great mortality on ships from Calcutta to the West Indies in 1856-57.

In a Despatch dated 22nd July 1857, the Court of Directors drew the attention of the Government of India to the terrible mortality which had attended emigration from Calcutta to the West Indies during the season 1856-57. What that mortality was will be evident from the following table:—

Name of Ship.	Adult Males.	Adult Females.	Boys.	Girls.	Infants.	Total Souls.	Deaths.	Per-centage of Mortality.
Wellesley - - -	254	84	13	11	20	382	22	5·75
Bucephalus - -	252	84	20	9	15	380	45	11·84
Robert Seppings -	197	59	13	13	9	291	61	20·96
Roman Emperor -	207	68	14	12	12	313	88	28·11
Adelaide - - -	213	62	10	8	11	304	25	8·22
George Seymour -	238	75	21	5	15	354	36	10·17
Eveline - - -	231	96	20	17	23	387	72	18·60
Maidstone - - -	268	68	18	10	11	375	92	24·53
Merchantman - -	239	96	18	12	20	385	120	31·17
Granville - - -	154	100	25	14	16	309	37	11·97
Burmah - - -	230	58	10	10	18	326	49	15·03
Scindian - - -	156	81	21	14	16	288	60	20·83
TOTAL - - -	2,639	931	203	135	186	4,094	707	17·27

[...]vestigation into [...] causes.

Inquiry was ordered to be made, and the Government of Bengal appointed Dr. Mouat to make it.

The conclusions arrived at by Dr. Mouat, and the orders passed upon his report, are embodied in the following extract from a letter to the Government of Bengal, No. 2,146, dated 23rd September 1858.

[...]an of inquiry.

2. Dr. Mouat's inquiries were directed chiefly to the following points:—

1st. The state of the people when they were embarked.

2nd. The measures that are taken in Calcutta to ascertain that the emigrants selected are sound, healthy, and fit to undergo the risks of a long voyage.

3rd. The present mode of fitting up ships for coolies.

4th. The recent alterations in the dieting of emigrants.

5th. The effects of detention in the River Hooghly after the people are on board; and,

6th. The reason of the healthiness of the Madras coolies embarked at the same season, and subject to the same regulations.

[...]. Mouat's con[...]sions.

3. The general conclusions at which Dr. Mouat has arrived on these several points are as follows:—

[...]e emigrants not [...]ginally unfit or [...]kly.

1st. That the evidence as to the state in which the emigrants referred to were embarked in Calcutta tends to disprove the assertion of some commanders and surgeons, and the strong suspicion of the colonial authorities, that the great sickness and mortality were due principally to the primary selection of sickly and unfit subjects in Bengal.

[...]e depôt not to [...]me.

2nd. That the general and medical arrangements of the depôt at Bhowanipore are such as to afford every reasonable precaution against the embarkation of persons unfit to undergo the risks of a voyage to the West Indies.

[...]tual causes.

3rd. That the lamentable sickness and mortality under investigation were caused by the increased proportion of women and children, by the neglect of proper sanitary precautions on board most of the vessels, by the shipment of water of the River Hooghly when it was unwholesome, by the absence of the means of separating the healthy and the sick, by the change in the diet of the emigrants, by the absolute want of suitable food for young children and infants, by the presence of grain cargoes, by the probable foul state of the bilge, and in some instances by the inexperience of the medical officers, in others by their being unable to communicate with the emigrants, and being unaccustomed to the treatment of the diseases of natives of India.

4th. That

4th. That the causes above enumerated operated in various degrees, but that there is no evidence to show how far they were exceptional.

5th. That the superior healthiness of Madras emigrants seems to be chiefly due to their being an entirely different race to Bengalees, and better suited to a sea life. The open roadstead of Madras, the absence of the voyage down the Hooghly, and the greater purity of the water laid in, with more suitable diet, may also exercise some influence in producing a favourable result. Causes of superior healthiness of Madras emigrants.

4. The remedies Dr. Mouat suggested are: Remedies suggested by Dr. Mouat.

1st. The removal of platforms, and the restoration of the old flush deck.

2nd. A separate sick bay, and the further means, when very great sickness prevails, of placing persons suffering from contagious diseases on deck.

3rd. The adoption of the Madras diet scale,* with the exception noted in paragraph 164 of the report, and the laying in of suitable food for young children and infants.

4th. The diminution in the proportion of women and children to 25 per cent. If possible, it is desirable not to embark pregnant females, or those who are nursing infants at the breast.

5th. The absolute prohibition of the water of the Hooghly being pumped in alongside off Calcutta from the 1st November to the 15th June.

6th. The improvement of the ventilation of the hold and between decks in the manner suggested.

7th. The purification of, and attention to, the bilge of the vessel. A supply of Sir William Burnett's disinfecting fluid should be carried by every vessel.

8th. It being compulsory on a certain proportion of the emigrants, at least a third, to remain on the deck whenever it is practicable.

9th. The proportion of topazes being increased to 1 per cent. of the whole number embarked, children counting as units.

10th. The selection of medical officers with some knowledge of the treatment of the diseases of natives of India, and of such only as are capable of understanding the coolies. Young surgeons fresh from Europe, and youths who have just completed their professional education, should not be employed on this duty.

11th. An improved system of records, which it should be incumbent on commanders and surgeons to keep, and on colonial emigration authorities to transmit to Calcutta without delay.

12th. The

* "The quantity of provisions allowed to each emigrant shall not be less than the following, two children under the age of 10 years being considered as equal to one person only.

"*Each Emigrant per Day*:—

	Oz.		*Oz.*				*Drm.*
Rice	20	Turmeric	½	Tamarind	2	Black pepper	1½
Dâl	4	Onions	2	Salt fish	2	Mustard seed	½
Ghi	1	Tobacco	1	Firewood - lbs.	2	Garlic	½
Salt	1	Chillies	½	Gingerly oil - oz.	½	Coriander seeds	2

"*Water one gallon.*

"*Fresh Provisions.*—Sheep and goats equal to one day's supply during every week of the voyage. Yams and potatoes may, in a certain proportion, be supplied as a substitute for pumpkins; and as vegetables must be served out twice a week equal to ¼ lb. per man, the whole quantity must accordingly be provided.

"Six sheep or goats to be supplied per every 100 men for the voyage.

"Dry provisions for bad weather, when the usual provisions cannot be cooked.

"*Each Emigrant per Day*:—

Choorah or aval	1 ser	or 2 lbs.
Or biscuits	½ "	or 1 "
Bhut, gram, or cuddeley	½ "	or ¼ "
Sugar	1 chhaták, or 2 oz.	

"Eighteen days' stock of the above dry provisions to be laid in for the voyage.

"*Water.*—The water laid in should be of the purest description that can be obtained, and great attention should be paid to the sweetness and sufficient strength of the casks in which it is carried, and, if new, they should be charred.

"The casks should be constructed of staves of at least one inch in thickness for the ground tier, and of not less than three-quarters of an inch for the upper tier."

The only exception Dr. Mouat proposes to the Madras diet scale is, as regards natives of Behar and Gorakhpur, for whom a supply of flour, he suggests, should be laid in to make the chapatis or unleavened cakes, which form their customary diet. For them, Dr. Mouat would substitute eight ounces of flour for 12 ounces of rice, leaving the rest of the diet as it is in the scale mentioned. This would give them one meal of farinaceous food daily.

12th. The increase of the amount of solid opium to double the present quantity.

13th. The placing of the privies securely in the fore chains outside the vessel.

Improved vessels proposed.

5. Dr. Mouat also states that it is deserving of consideration whether it would not be desirable to employ a different class of vessels for the conveyance of emigrants. The experience of the past year, he says, has shown the incalculable advantages of large and powerful screw steamers in the transport of troops, and similar advantages would, in his belief, result from the use of such vessels in the transport of coolies. They could always put to sea in one day, and the rapidity of the voyage would much diminish its risks. Whether it would pay as a commercial speculation is a question which Dr. Mouat is unable to determine.

The sickness preventible.

6. Dr. Mouat further states that he is distinctly of opinion that the great sickness and mortality of 1856-57 need not recur; that, whether exceptional or not, they can be prevented by proper care and attention; and that there is no need to prohibit the continuance of emigration, on grounds either of humanity or of policy; and he suggests that the penalties for neglect of proper sanitary arrangements on board should be more stringent than they are, and that the examination of the condition of both ships and emigrants should be more minute and searching at the ports of debarkation than they appear to be at present.

Further suggestions as to dietary for nursing mothers and children.

7. A further report from Dr. Mouat in regard to the mortality on one vessel (the "Wellesley"), which recently left Calcutta with emigrants for the West Indies, is submitted with your letter, No. 1537, dated the 17th August 1858. Dr. Mouat considers that the conclusions at which he arrived before this case came under his notice are corroborated. As the deaths on this vessel were principally among children, he suggests the following measure in addition to those already proposed:—

"In addition to the ordinary rations shipped, I recommend that, for every native mother with a child at the breast a pint of preserved milk be allowed daily, over and above her ordinary scale of diet; and for every child under two years of age who has no mother, or whose mother is unable to nurse it, a daily ration of a pint of preserved milk.

"In excess of the above, a stock of suji, oatmeal, sago, and arrowroot should be added to the medical comforts, equivalent to a consumption of six chhatáks daily for every child between two and six years of age, with a proportionate increase of sugar, the whole to be issued entirely at the discretion of the surgeon, as in the case of the orphans of European soldiers. The quantity of water at present allowed is, I think, sufficient.

"I have already suggested that biscuit rations should be discontinued, and chura or chabani be shipped in its stead, in the proportion allowed at Madras."

Government of India accepts Dr. Mouat's views;

8. The Honourable the President in Council entirely concurs in Dr. Mouat's conclusions, that the sickness and mortality on board these emigrant ships were not owing to any defects of arrangement at Calcutta, but that they may be attributed to many other causes, all connected with the treatment of the emigrants after embarkation, and with the condition of the vessels on which they were embarked.

Except as to the limitation in the number of women.

9. In regard to Dr. Mouat's recommendations for the future, I am directed to request that they may all be carried out as soon and, as far as practicable, with the exception of the fourth, proposing a reduction of the proportion of women in each vessel, to which arrangement his Honour in Council cannot consent. The prohibition of the use of the water of the Hooghly river between the 1st November and the 15th June should, above all, be most rigidly enforced.

Rules to be prepared accordingly.

10. The Lieutenant-Governor will be so good as to cause to be prepared, for the guidance of all concerned in the emigration of native labourers to the colonies, a revised and consolidated set of rules, including those prescribed by law, as well as those to be passed by the Governor General in Council under the provisions of Section 6, Act No. XV. of 1842, Section 7, Act No. XXI. of 1844, and Section 7, Act No. XXXI. of 1855, based on the orders which have from time to time been given on the subject, and embodying the modifications now sanctioned in respect to emigration to the West Indies. These rules, when approved by his Honour, should be submitted for the sanction of the Government of India, according to law, and will then form a convenient and authentic manual for future reference.

Code drawn up.

In pursuance of these instructions, a revised code of rules, "for the guidance of all persons concerned in the emigration of native labourers from Calcutta to the West Indies," was submitted by the Government of Bengal, and, on 22nd March 1859, received the sanction of the Governor General in Council.

Nature of the rules.

These rules embody the suggestions above made. The dietary cited above in the margin is prescribed, and a scale of clothing, medicines, instruments, medical comforts, and miscellaneous articles laid down. The rules further provide for survey of the vessel, and of her stores and provisions, for ventilation, cleanliness (both of ship and of emigrants), dry decks, careful cooking of rations, all in considerable detail. The surgeon must either have a diploma, or be approved by the head of the Medical Department, and vessels must engage a competent tug-steamer down the Hooghly, and the pilot is bound to muster the crew

crew and see that it is efficient. Fire-buckets, boats, and life-buoys must be provided. A third officer must be carried, and an interpreter, if neither the captain, surgeon, nor any of the officers or crew speak both English and "the native language," and four sidars and at least one sweeper must be appointed for ever hundred adults. Careful instructions are given for fitting privies in the fore chains, and it is forbidden to carry gunpowder, vicious dogs, or wild animals. Finally, careful hospital and mortality records are prescribed. The rules relate entirely to the voyage, but are carefully drawn up, and have formed the basis of subsequent Calcutta codes. It may be doubted, however, whether they were, at the time of their being approved altogether, covered by the then existing law. For instance, the transfer to the protector of duties then assigned by law to the agent, the fixing of the quantity of water at seven gallons a week, while the Acts only prescribed five gallons, the rule prescribing the employment of steam down the Hooghly, were regulations of doubtful validity at the time, though they have been embodied in subsequent legislation.

Its adoption suggested to Governments of Madras and Bombay.

The adoption of these rules was suggested to the Governments of Madras and Bombay. The Madras Government, however, preferred to maintain its own rules, which, it was alleged, had worked well, and contained all the essential provisions of the Calcutta code. Really they were far inferior to the Calcutta rules, both in substance and in arrangement. The Bombay Government adopted the Bengal rules with some modifications. The most important difference was that the Government of Bombay determined to retain the use of the platforms, which had been condemned both at Calcutta and Madras as a source of dirt and disease. The Governor General in Council, however, did not interfere with the decision of the Bombay Government on this point.

Government of Madras adheres to its own rules.

Government of Bombay accepts the Calcutta code, with some modifications.

The action of the Government of India was approved by the Emigration Board and by the Secretaries of State both for India and for the Colonies.

Mauritius

M. Savy's complaints of the administration of the law between planters and immigrants in Mauritius.

In 1857, a M. Savy, an advocate in Mauritius, brought certain charges against planters and magistrates in that island, addressing both the Colonial Government and the Government of India. The former appointed a Special Commission to inquire into the allegations, which were to the effect that wages were habitually in arrear, the magistrates being interested in sugar-planting and playing into the hands of the planters.

Commission to inquire into them.

Considered unfounded.

The report of the Commission (which consisted of two officials and two planters, one of the former, Mr. Bedingfield, one of the latter, M. Antelme) was pronounced by the Government of Mauritius to have completely disproved M. Savy's charges, and I think the Government of India must have accepted this assurance without reading the report.

Facts found by the Commission hardly bear out this view.

That document, to my mind, disclosed a most unsatisfactory state of things, though M. Savy's charges were shown to be exaggerated, and some suspicion was thrown on his motives. But the report admits that out of eight stipendiary magistrates in the colony, three ("only three," says the report) were "interested in colonial industry." True, one of these "ceased to hold office immediately after the date referred to," another "only officiated temporarily for three months, and had not since held a similar office," while the third "was not then magistrate in the district in which his estate was situate." But the admission in its very form shows that the colonial authorities were not alive to the absolute necessity for a thoroughly independent magistracy. Again, the report, while finding that the magistrates had not been proved guilty of throwing obstacles in the way of recovery of wages, bears witness to the existence of a system under which large arrears of wages were habitual, a state of things clearly inconsistent with the well-being of the coolie.

Proposal to introduce labour into British Guiana "on private account."

In 1858 the Government of India and the Home Government consented, on certain conditions, to an arrangement for the importation of labour from Bombay into British Guiana "on private account." These conditions were (1), that the emigrants should engage for service on some particular estate; (2) that they were not to be bound to work on estates considered by the Colonial Government unfit for their reception on account of climate or otherwise; (3) that hospital accommodation and medical attendance should be provided by the employer; (4) that the same protection should be afforded such immigrants as was given those imported by the Colonial Government, and that a back passage should be secured to them. The scheme, however, came to nothing.

Similar proposal in regard to Mauritius.

In the course of 1858 and the following year a correspondence took place with the Government of Mauritius on the same subject. It appeared that, owing to the great extension of sugar cultivation in that island, and the consequent increased demand for labour, a practice had grown up under which planters sent their own recruiters to India, and through them arranged for the importation of labourers in excess of the number imported by Government for allotment. The planters resorting to this method (which, recruiting being then unregulated, was not illegal so long as the provisions of the law in regard to registration at port of embarkation and the rules on board ship were observed) paid the whole expense of the labour thus imported. But as the Mauritius law declared that no valid contract could be made by an immigrant till he had been 48 hours in Mauritius, the coolie imported by one planter was often induced to transfer his services to another, the law only requiring the latter to pay to the actual importer the expense of importation, plus 25 per cent. thereon. The clause of the Order in Council on the subject

Contracts in India for labour in Mauritius legalised.

ject of contracts was embodied in the Indian law of 1842. Hence, when the Mauritius Government wished to abrogate it, and permit the conclusion of labour contracts in India, a necessity arose for a reference to the Indian Government. Without much discussion the change was allowed, even in anticipation of the necessary change in the law; and on 4th April 1859 a notification was published, declaring that special agents accredited by the Mauritius Protector of Immigrants, and licensed by the Emigration Agent at any of the three ports of Calcutta, Madras, or Bombay, might at any such port "make with any native of India a contract for labour to be performed in the colony of Mauritius for a period not exceeding three years," provided that the contract should be executed in the presence of the Emigration Agent and Protector of Emigrants of the port. Similarly the Emigration Agent was empowered to make such contracts in the presence of the Protector. This last functionary was especially enjoined to see that the regulations were precisely observed, and that natives entering into contracts fully understood the nature and terms of them, and had not been induced by unfair means to engage themselves. Thus a double system of recruitment arose, viz., (*a*) by special agents of individual employers; (*b*) by the recruiting agents appointed by the Emigration Agent. The labourers collected by the latter were allotted in the colony. Part of the scheme was, that the Colonial Government should fix annually the rates of wages for various kinds of labour, on a gradually increasing scale, according to length of service. The contracts were to be for three years, and the wages, as at first laid down, were—

Wages fixed by Mauritius Government.

For the 1st year	- - - - - - -	10*s*. a month.
„ 2nd „	- - - - - - -	11*s*. „
„ 3rd „	- - - - - - -	12*s*. „

besides rations on the following monthly scale:—45 lbs. rice, 2 lbs. dál, 2 lbs. salt fish, 8 oz. ghi, 8 oz. oil. The Governments of Madras and Bengal were somewhat averse to this part of the scheme.

Bill brought in to legalise these measures, but not passed into law.

A Bill was, on the 9th April 1859, brought into Council to give legal effect to the above arrangements, but it seems never to have got beyond the second reading. I cannot discover why.

About the same time Mauritius emigration began to be carried on all the year round.

It was also about this time that the Mauritius Government began to carry on emigration operations all the year round. Previously labourers had been recruited for Mauritius during the close season of West Indian emigration. But now separate agents were appointed by the Mauritius Government, and recruiting began to be carried on throughout the year.

Further changes in the Mauritius law in 1862. Contracts extended to five years.

Minor changes.

The Despatch from the Secretary of State, No. 31, dated 23rd October 1862, forwarded a Mauritius Ordinance (XVI., of 1862), the chief change made by which was to lengthen the period of original indenture to five* years. It had first been one year, then three years. In 1860, an Ordinance extended these agreements to four and five years respectively, should neither employer nor immigrant signify to the magistrate, during the 3rd and 4th year, his wish to terminate the engagement. Minor changes were (1), that it provided for the transfer of the immigrants on an estate, in case of purchase or inheritance of the latter, to the purchaser or heir; and (2), that it legalised contracts with female immigrants. On both these points it followed the law or practice of Réunion. Sections 18 and 19 somewhat modified the law as to unlawful absence. For whereas before one of the penalties was the addition to the term of servitude of a period equal to twice the period of absence, the addition was now reduced to a period equal to that of absence. The Secretary of State for the Colonies agreed to sanction the Ordinance on condition that the Protector of Immigrants should be allowed to watch proceedings in court, and that the appeal from the stipendiary magistrate should lie to the bench of magistrates at Port Louis, instead of to the Supreme Court, the Protector being also allowed to intervene. These amendments were embodied in a subsequent Ordinance, No. 11 of 1863, which was communicated by the Government of Mauritius to the Government of India. Mr. Grey and Mr. Maine agreed to accept the amendments as sufficient, and the pair of Ordinances was communicated to local governments for transmission to Protectors of Emigrants.

o burnt at sea

...les to prevent ...es at sea.

In June 1859 the emigrant ship "Shah Jehan" was burnt at sea, and about 300 emigrants lost their lives. This disaster suggested the necessity of a set of rules to prevent, as far as possible, the occurrence of fires. Accordingly certain rules were prescribed, requiring the cargo hatches to be battened down before the ship sailed, and not opened till arrival at destination; all ghí and oil to be carried on the upper deck; no lights to be taken into the

* The same process of gradual extension of the term of indenture is observable in all the colonies. For instance, in British Guiana, when emigration thither first began, the longest term of written contract seems to have been one year. Under an Ordinance of 1846, the first hiring was to be held valid for six months, and no contract made outside the colony was to be for more than three years, and such contracts were terminable at the end of five months, if the labourer could pay the cost of his introduction. In 1848, the Home Government (Colonial Office) allowed indenture for three years certain. In 1862, the term of indenture was extended to five years. In the same way the term of indenture at Natal, which was at first three years, was, in 1865, extended to five years. In fact, the French Convention, negotiated without previous consultation with the Government of India, by permitting five years' contracts in French settlements, necessitated the same concession in regard to British colonies.

the hold; and the galley fires to be only lighted between sunrise and sunset. Inflammable cargo was forbidden, and every ship was required to carry five serviceable boats, or, if above 1,000 tons burthen, seven such boats, of which two to be lifeboats. The pamphlet by the Emigration Commissioners, entitled "Suggestions to Masters of Emigrant Ships respecting Boats and Fires at Sea," was also placed in the hands of all commanders of emigrant vessels.

Bengal committee on system of emigration appointed in 1860.

In October 1860 the Government of Bengal appointed a committee (consisting of Dr. Chevers, Dr. Payne, and Captain Howe) to consider the whole system of emigration and the amendments called for therein. The committee submitted their report in May 1861, and it was reviewed by the Government of Bengal, the Governor General in Council, and the Emigration Commissioners. Their most important recommendation, viz., that a Government medical officer should be appointed, was at once approved by all the authorities, and acted upon without delay. The duties of the officer so appointed were to be the general supervision of all the depôts both of British and foreign agencies, and the care of the health and physical well-being of the emigrants. The committee recommended that not more than 25 women to every 100 men should be embarked. This, however, was not approved. But the embarkation of pregnant women and very young children was to be discountenanced. The committee proposed that not more than 350 emigrants should be embarked in any one ship. But it was held to be sufficient that the existing rules against over-crowding should be strictly enforced. It was agreed that in calculating space children should count as adults. The law was not, however, altered in this sense.

Their report and recommendations.

Appointment of a Government medical officer.

Proportion of women.

Limit of number.

European surgeons.

The recommendation that the ship surgeons should be appointed from England was met by the transfer to the West India emigration of a number of the Australian emigration surgeons.

Minor suggestions.

Various minor suggestions, *e.g.*, that the surgeon should keep a full medical diary; that a woollen suit should be supplied each emigrant, at the discretion of the surgeon; that platforms should be raised (I presume on the upper deck) to keep the emigrants off the wet deck; that professional cooks should be sent, one for each 100 emigrants; that topazes or sweepers should be shipped, one for each 100 emigrants; that, weather permitting, ships should be whitewashed every fortnight; that the ship surgeon should frequently attend the depôt before sailing; that in case of any remarkable sickness or mortality, an inquiry should invariably be set on foot at the port of debarkation; that hospitals should be on the upper deck, and that the greatest care should be taken as to the purity of the water shipped, were all approved.

Rules as to side scuttles.

About the same time a correspondence took place about side scuttles. The authorities in Calcutta had insisted on this method of ventilation, which was compulsory in English vessels, being provided in ships carrying emigrants to Réunion. The French Government remonstrated, and the Secretary of State ruled that side scuttles might be dispensed with in any ship where the responsible officers were satisfied that there were other means of sufficient ventilation.

Act II., 1860, extending to certain voyages certain provisions of the "Passengers' Act, 1855."

In 1860 an Act (No. II. of that year) was passed, extending the provisions of the Imperial "Passengers' Act, 1855," in regard to treatment of wrecked passengers, to voyages (amongst others) from India to Mauritius "under Act XV., 1842;" from India to Jamaica, British Guiana, and Trinidad, "under Act XXI., 1844;" and to St. Lucia and Grenada, "under Act XXI., 1858." This step was taken at the suggestion of Lord Stanley, some legal difficulty having arisen with regard to the recovery of expenses incurred by the Government of St. Helena in forwarding emigrants *ex* ship "Hanover," which ran aground on that island.

St Vincent

Act XII., 1860, permits emigration to St. Vincent.

On the 26th April 1860 the Government of India, on the motion of the Colonial Office, passed an Act (XII., 1860), extending to the Island of St. Vincent, one of the Windward group, the provisions of Act XXXI. of 1855, and on the 25th of May following a notification was published declaring that the Governor General in Council was satisfied that the necessary measures had been taken in St. Vincent, and opening emigration to that island. The St. Vincent regulations were found to follow very closely those of Grenada. It is worthy of remark that the laws of both these colonies contain the provision obliging the coolie to contribute towards the cost of his return passage, which was so much objected to in the case of St. Lucia.

Natal

Act XXXIII., 1860 permits emigration to Natal.

In 1860 was also passed an Act (XXXIII. of that year) which, with its subsidiary notification, allowed emigration to Natal under the regulations applicable to the West Indian colonies, except that the length of voyage was fixed at 12 weeks from Calcutta and at 10 weeks from Madras or Bombay. The colonial laws were mainly based on the St. Lucia Ordinances. They included a provision allowing the deduction of 2*s.* a month from the labourer's wages for lodging and medical attendance; but the agent sent by the Natal Government pledged himself that this should not be acted upon, and that the minimum wages should be a clear 10*s.* a month, in addition to food and lodging. The first application for coolie labour had been made by Sir George Grey at the end of 1855; but the Government of India had not then thought fit to accede to it, as the wages were fixed on such a scale as not to be likely to attract emigrants, at any rate from Bombay, whence at that time it was contemplated to introduce labour.

St Kitts

Act XLI., 1860, permits emigration to St. Kitts.

In the same year was passed a similar Act (No. XLI.), legalising emigration to St. Kitts, one of the Leeward Islands; and a notification, dated 23rd October 1860, announced that the Governor General in Council was satisfied that the needful steps had been taken in that colony for the well-being of emigrants.

Reunion & other French colonies

History of emigration to French colonies. Réunion.

The climate of Bourbon or Réunion, though highly favourable to Europeans, seems to be prejudicial to negroes, and the supply of labour was a chronic difficulty in that colony. We have seen that it began to draw on India for labour even before Mauritius. In 1843 a large area had fallen out of cultivation for want of hands to till it, and the colonists addressed the French Government; but the Monarchy does not seem to have helped them out of their difficulties. In 1848 the emancipation of the slaves brought matters to a crisis, and the result was the establishment of an emigration from the French settlements on the Coromandel Coast, which degenerated into the system of kidnapping and decoying British subjects already noticed, and brought about the passing of Act XXIV. of 1852.

Application in 1851 for leave to recruit in India for Réunion.

But while the discussions on this subject were proceeding, the French Government had (November 1851) applied to be allowed to recruit labourers in India for Réunion. The proposal was at first coldly received by the directors, who pointed out that there were no such guarantees in the case of a French colony as existed in regard to Mauritius for the due care of emigrants on the voyage and during their engagements, and for their return to India. But Count Walewski pressed the point, forwarding copy of a decree passed by the President of the Republic, dated 27th March 1852, for the protection of labourers, and remarking as a stimulus,—"Le désir du Gouvernement français à cet égard est d'autant plus vif, que si cette ressource venait à manquer aux colons français il deviendrait difficile de les détourner, pour faire cultiver les terres, à des engagements sur la côte d'Afrique, parmi des indigènes esclaves préalablement émancipés, engagements faciles et peu dispendieux, mais qui ne vous sembleront sans doute pas moins qu'à nous-mêmes avoir l'inconvénience grave de donner comme un encouragement tacite à un odieux trafique."

Governments concerned consulted.

Thus urged, the Court of Directors, in a Despatch dated 23rd June 1852, consulted the Government of India, which, in its turn, asked the opinions of the subordinate Governments of Bengal, Madras, and Bombay. The opportunity was also taken to circulate a letter received from Dr. Mouat (who had recently returned from a visit to Réunion), reporting upon the condition of the Indian labourers who had already emigrated to that colony, and of whom he believed there were about 23,000 on the island at the time of his sojourn. Dr. Mouat briefly described the arrangements in force for the protection of the coolie, and in respect to his dietary, clothing, and medical attendance, and distinctly gave it as his opinion that our labourers were on the whole well cared for and kindly treated. The only points on which he was not satisfied were (1st) that he suspected overcrowding on board ship; and (2nd) that the measures for the repression of "vagabondage" or vagrancy were somewhat severe.

Report by Dr. Mouat.

Views of the Governments of Bengal, Madras, and Bombay;

Lord Dalhousie, as Governor of Bengal, expressed himself decidedly in favour of the legalising of emigration to Réunion under proper precaution, as a measure not only less likely to do harm than the existing clandestine emigration, but as one in itself desirable. The Government of Madras proposed that while emigration to Réunion should be legalised the emigration to the British West Indian colonies should be closed, and recommended the establishment of a joint agency for Mauritius and Réunion, to which colonies emigration should thenceforward be restricted.

and of the Government of India.

The Government of India* agreed that emigration might, under proper checks, be permitted to Réunion, but did not desire to extend the measure to French West Indian colonies or to French Guiana. And certain objections were taken to the decree of 27th March 1852. These were expressed in a Minute by Mr. (Sir B.) Peacock, and were to the following effect:—

1st. That the minimum of space, allowing one emigrant for every ton of burthen was altogether insufficient;

2nd. That there was no provision for a surgeon on board ship;

3rd. That the dietary and clothing were insufficient or unsuitable;

4th. That emigration from French ports in the absence of a Protector was undesirable; and

5th That provision for a British Protector of Immigrants at the colony of destination was very desirable.

Some

* Despatch to Court of Directors, dated 4th May 1853.

Some further communications were made in 1854, in 1857, and 1858, to each of which the reply was that the question was under consideration or reference to the Secretary of State for Foreign Affairs. The negotiations were protracted, for it was not till June 1860 that Sir C. Wood (Lord Halifax) was able to forward copy of a Convention agreed upon between the two Governments, and to urge the speedy passing of a law to give effect thereto. The urgency of the case arose from the fact that the French had again resorted to a system of obtaining negro labour, designated in the preamble to the draft Convention as a "recrutement sur la côte d'Afrique de travailleurs noirs par voie de rachat," but described by Lord Russell as "a revival of the African slave trade, however the operation may in terms be disguised." This system, otherwise known as the "Regis Contract," the Emperor could not put an end to till he was assured by a definite conclusion of the Convention that his colony would be able to obtain labour from India. But the Convention would be a dead letter without the necessary repeal of the Indian law forbidding emigration to French colonies. Hence the urgency of the case. Sir C. Wood's first Despatch announcing the "negotiation" of a Convention was followed up by two others, the first of which directed that as soon as the Act was passed the scheme should be brought into effect immediately, without waiting for the formal completion of the Convention, while the second forwarded copy of a separate Convention in regard to Réunion, actually "done at Paris, the twenty-fifth day of July, in the year of our Lord 1860." A fourth Despatch notified the appointment by the French Government of M. Camin to be Emigration Agent at Calcutta for Réunion.

The negotiations are protracted.

Convention negotiated in 1860.

Speedy legislation urged, and the reason.

No time was lost in taking the necessary steps in India, and Act XLVI., 1860, received the assent of the Governor General on the 6th October of that year.

Act XLVI., 1860.

The Act recites, and to a great extent only repeats, the provisions of the Convention. Thus Articles I. and XXIV. of the Convention, together with Section 1 of the Act, permit contracts to be made with natives for labour to be performed in the French colonies of Réunion, Martinique, Guadeloupe, and its dependencies, and Guiana, or any other French colony in which a British Consular Agent may be established, and to which the Act may be by notification extended, and emigration to such place from Calcutta, Madras, and Bombay, or from any French port in India, is relieved from the legal prohibition.

Provisions of the law.

Contracts permissible for labour to be performed in Réunion, Martinique, Guadeloupe, and French Guiana, or, on certain conditions, in other French colonies.

Article II., Section 2.—The French Government may nominate an agent at each of the three British ports, subject to approval by Her Majesty.

French Government may nominate agents.

Articles III. and IV., Sections 3 and 4.—The agents are to enjoy the same privileges and to conduct their operations of recruitment under the same regulations, as agents for British colonies.

French agents to have the same status as agents for British colonies.

Article V., Section 5.—At British ports the Protector of Emigrants is to perform the same duties in regard to emigrants to French colonies. At French ports the duty is to be performed by the British Consular Agent, under such instructions as may be given by the Governor General in Council in that behalf.

Duties of Protector and British Consular Agents.

Article VI. requires the Consular Agent to satisfy himself either that the emigrant is not a British subject, or that his engagement is voluntary; that he has a perfect knowledge of the contract, the place of destination, the length of the voyage, and the advantages connected with the engagement.

Articles VII.-X. and Sections 6-7 relate to the terms of contract. The original contract is to be made in India, and either to bind the emigrant to serve a person designated by name or to serve a person to whom he shall be allotted by the proper authority on his arrival in the colony. It is to stipulate:—

Terms of contract.

1. The duration of the engagement, in no case more than five years, at the expiration of which a free back passage is claimable, and the terms on which it will be competent to the emigrant to commute such claim;

2. The number of days and hours of work, not more than six days in seven, and not more than nine and a half hours a day;

3. The wages and rations, rate of pay for extra work, and all advantages promised to the emigrant;

4. Gratuitous medical treatment, in cases of illness not arising from his own misconduct.

Days of duly proved wilful absence from work to be added to the term of five years; the conditions of taskwork and every other kind of regulation for work to be freely arranged with the labourer.

Article XI., Sections 8-11.—This article of the Convention lays down that the arrangements at British ports which precede embarkation are to be the same as in case of emigration to British colonies. Accordingly the corresponding sections (cited above) of the Act apply to French emigration the appropriate portions of Act XV., 1842, as modified by Act XXI., 1843, but with the important change that the duties which the earlier Acts throw

Arrangements preceding embarkation.

throw upon the agent are now assigned to the Protector. The 11th article also requires that at French ports the Emigration Agent shall deliver to the British Consular Agent a nominal list of all emigrants who are British subjects, and a copy of contracts made.

Articles XII. and XVII. of the Convention and Section 30 of the Act ensure to the immigrant access to the British Consular Agent, and to the agent the right of visiting the depôts and emigrant ships at all reasonable hours.

Estimated length of voyages.

Section 12 of the Act regulates the estimated length of voyages as follows:—

To Réunion -	From Calcutta -	From April—October inclusive,	10 weeks.
		" November—March	" 8 "
	" Madras -	" April—October	" 7 "
		" November—March	" 5 "
	" Bombay -	" April—September	" 5 "
		" October—March	" 6 "
To Martinique, Guadeloupe, and its dependencies -	" Calcutta -	20 weeks.	
	" Madras -	19 "	
	" Bombay -	19 "	
To French Guiana -	" Calcutta -	26 "	
	" Madras -	19 "	
	" Bombay -	19 "	

Provided that the Governor General in Council may extend the Act to any other French colony where a British Consular Agent is established, and in such case may declare the length of the voyage.

For the anomalous length assigned to the voyage from Calcutta to Cayenne, I have not in any way been able to account. I think it must be a clerical error arising from confusion between the figures "6" and "0." But in the first printed draft of the Bill the estimated length is stated in words at "twenty-six weeks." The point has recently been brought to notice officially by the Government of Bengal.

ime of sailing xed.

Article XIII., with Section 13, permits emigration to colonies east of the Cape at any time of year. Emigration in sailing vessels to other French colonies may take place from the 1st of August to the 15th March. But vessels using steam power may sail at any time of the year. Every emigrant sailing for any colony west of the Cape is to have a double blanket over and above the usual allowance of clothing.

surgeon and an terpreter to be rried.

Article XIV. and Section 14 require each ship to carry a European surgeon and an interpreter. The master is to carry any despatch intrusted to him for the British Consular Agent at the port of debarkation.

inimum space to e allowed on board ip.

Article XV. and Section 15 regulate the space on board ship. The emigrants are to occupy either between decks or in cabins on the upper deck, firmly secured and entirely covered in, a space devoted to their exclusive use, and everywhere not less than five and a half feet high. No compartment in any vessel sailing from Calcutta is to take more than one adult emigrant for every 72 superficial feet, nor in vessels sailing from Madras, Bombay, or any French port more than one emigrant for every 60 superficial feet. An emigrant above the age of ten years is to count as an adult, and two children from one to ten years of age as one adult. A separate hospital is to be fitted up in each ship, and women and children are to occupy compartments distinct and separate from those of the men.

roportion of omen.

Article XVI. and Section 29 fix the proportion of women at one-fourth of the number of men. After three years the proportion to be raised to one-third, after two years more to one-half, and after a further two years to be the same as fixed for British colonies.

isting regulations plied, with one portant change.

Sections 16–27 inclusive follow corresponding sections* of Act XV., 1842, and the Order in Council therein embodied, with the exception that the duties described are imposed on the Protector instead of the Agent. In point of fact, it was an oversight not to have done this for British colonies when a Protector was first made obligatory by Act XXI., 1843, which constituted the office without assigning to the holder of it any specific duties beyond that of countersigning emigrants' passes. In Section 16 also is introduced the rule allowing a reduction of the quantity of water shipped in such vessels as carried a Normandy's distilling apparatus, which was shortly afterwards made legal for ships sailing to British colonies also.

de of levying alties.

Section 28 appears here for the first time in legislative enactments on emigration. It allows the levy of fines by distress and sale of the goods and chattels of the offender, or, in case of insufficiency, awards imprisonment for any term not exceeding two months where the fine does not exceed 50 rupees, for four months where the fine does not exceed 100 rupees, and for six months in other cases.

visions of the vention binding the French horities.

Article XVIII. of the Convention binds the Governors of French establishments in India to make the administrative regulations necessary to carry out the stipulations of the treaty.

Article XIX.

* *Viz.:* Sections 9–12 and 14–16 of the Act; Clauses 6 and 8–11 of the Order in Council.

Article XIX. requires the Colonial Government, on the arrival of an emigrant ship, to deliver to the Consular Agent any despatches for him; and—

1. A nominal list of all labourers disembarked, being British subjects;
2. A list of births and deaths on the voyage.

The Consular Agent is to be allowed to communicate with the emigrants, and copy of their distribution list is to be given him. He is to be informed of all deaths and births during the period of engagement, and of all changes of employer, departures, fresh engagements, or renunciations of right of free passage.

British subjects to have right of access to Consul.

Article XX. reserves to British subjects their right of claiming the assistance of the Consular Agent. No obstacle is to be opposed to the labourer's resorting to the Consular Agent, "without prejudice, however, to the obligations arising out of his engagement." A correspondence is now pending on the question whether the provisions of this article have actually been carried out in Réunion.

Families not to be separated.

By Article XXI. the separation of husband and wife, or of parents and children under 15 years of age, is prohibited. Emigrants cannot be required to change their employers without their own consent, unless transferred to Government. Emigrants becoming permanently incapable of work from causes beyond their own control are to be sent back at the expense of the French Government.

Operations may be carried on either in French or British vessels.

Article XXII. Operations may be carried on in either French or British vessels. British vessels are to comply with all measures of police, health, and equipment which may apply to French vessels.

Labour regulations of Martinique to form basis of colonial law.

Article XXIII. declares that the labour regulations of Martinique shall serve the basis for all the regulations of the French colonies into which emigrants, subjects of Her Britannic Majesty, may be introduced. No copy of the Martinique regulations was forwarded, and the Government of India is up to the present moment in absolute ignorance of their nature. "The French Government engages not to introduce into these regulations any modification the result of which would be to place the said Indian subjects in an exceptional position, or to impose upon them conditions of labour more stringent than those prescribed by the said regulations."

Convention applicable to protected native States.

Article XXV. makes the Convention applicable to natives of any native Indian State under the protection or political control of the British Government.

When the Act to take effect.

Section 31 makes the Act take effect at once as regards emigration to Réunion, to the extent of 6,000 labourers; in regard to Martinique, Guadeloupe, and French Guiana, from the date of the Convention being finally concluded and coming into force; in regard to other colonies, from such date as the Governor General in Council in extending the Act may determine.

Convention how terminable.

By Article XXVI. the Convention is to take effect on the 1st September 1861 (subsequently changed to 1st July 1862), and to last $3\frac{1}{2}$ years, and to remain in force thereafter, unless notice of termination be given in September of any year (afterwards July), when it shall cease 18 months afterwards. The final clause of Section 31 reserves to the Government of India the right of stopping emigration under the same circumstances as would justify the exercise of the right in regard to emigration to British colonies. In reporting the passing of the Act to the Secretary of State the Government of India drew particular attention to this provision.

Appointment of consular agents at French Indian ports.

A reference was also made as to the appointment of Consuls or Consular Agents at French ports in India, as the Government of India did not consider itself empowered to make such appointments, and attention was again drawn to this point in May 1861 by the Government of Madras. It was ultimately arranged that the Government of India should make these appointments provisionally, subject to approval by Her Majesty's Government. Such approval has never been withheld. At present such Consular Agents are only maintained at Pondicherry and Karikal; but for a short time there was one at Mahé also.

Modification of the Convention and consequent enactment of Act VII. of 1862.

The Convention was ultimately not signed till 1st July 1862, and had been modified slightly in the meantime. Besides the change of date, the only important alteration was the insertion in the body of the Convention of a clause reserving to the Governor in Council the right to suspend emigration in the specified cases, a counter-right being at the same time reserved to the French Government, in the event of the Government of India exercising this power, at once to terminate the whole Convention. To prevent any legal difficulties, a short Act (VII., of 1862) was, on the advice of Mr. Ritchie, passed, reciting the change in the terms of the Convention, and declaring Act XLVI. of 1860 to be applicable to the Convention as finally signed and ratified.

Substance of the Réunion regulations.

Protection.

Although, as noticed above, the Act of 1860 was passed in ignorance of the nature of the regulations which the Convention bound the French Government to adopt in the colonies, the rules, in fact, adopted in Réunion were subsequently communicated to the Government of India. The code provides for the appointment of a Commissaire d'Immigration charged with the general protection of immigrants, and bound to visit and inspect estates,

estates, and to see that contracts are mutually observed. At the capital town of each arrondissement a "syndicat protecteur des immigrants" is also appointed, consisting of a president (the Procureur Impérial, now National) or one of his deputies, an "avocat" or "avoué," and a municipal councillor. This body is charged with the duty of advising and instructing immigrants in any judicial process in which they may be concerned, and may appear in court on behalf of immigrants. The Syndicate may also, on the representation of the Commissaire d'Immigration approved by the Directeur de l'Intérieur, claim cancelment of engagements where the obligations of the employer as to care for the health of immigrants are not fulfilled. A syndic is also appointed as a sort of assessor to each juge de la paix, and is bound to see that the immigrants are regularly paid. And he appears generally expected to perform the part of a local Protector of Immigrants. His functions are, however, entirely confined to matters in which immigrants still under engagement are concerned. The employer is bound to provide suitable dwellings for his immigrant labourers, and to provide rations on the scale noted in the margin* for each person over 10 years of age, for those under that age half rations. Two suits of clothing are to be provided annually. Every estate with 20 immigrants upon it is to have an infirmary and a medical attendant regularly engaged for the treatment of the sick. Except as otherwise stipulated, the hours of labour to be 12 per diem, including a period for meals "which may extend to 2½ hours," and the immigrant is not held to have fulfilled his contract till he has worked at the rate of full 26 days in each month; days of absence to be supplemented by extra days. An immigrant "habitually insubordinate" may be "handed over to the administration, to be employed by it either in a public or a private establishment." The police are apparently vested with power to arrest labourers in the interior "discovered in contravention of the passport rules," and to re-convey them to their employers. The clause requiring 26 full days of labour in each month seems somewhat sweeping. It does not make an exception even in favour of days of sickness.

Dwellings, food, &c.

	Daily.
* Cod or salt fish	214 grammes.
Or fresh or salt meat	200 „
Husked rice	85 centilitres.
Salt	20 grammes.

Days and hours of labour.

Disposal of insubordinate labourers.

"Vagabondage."

St Croix

Proposal to permit emigration to St. Croix (Danish West Indian colony).

Slavery was nominally abolished in the Danish West Indian colonies in 1848. But the legal restraints imposed on the emancipated labourer were hardly consistent with his freedom. The insufficiency of the labour supply seems, however, to have led to a considerable relaxation of these restraints in practice. In 1861 the Danish Ambassador laid before Her Majesty's Government a proposal for permitting the emigration of natives of India to St. Croix. It was desired by Denmark that such emigration should be permitted in anticipation of the needful legislation in the colony; but this Sir C. Wood refused to allow. He also insisted upon the modification in some respects of the draft Ordinance as first submitted by M. de Bille. As ultimately modified, the Ordinance provided for the shipment of the same proportion of women as in the case of emigration to other West Indian Islands, for the allotment and registration of immigrants, for the inspection of the ships conveying them, and of the estates to which they might be assigned. It laid down that the contracts might be for five years, to which was to be added the number of days the immigrant might be proved to have been absent from work without lawful cause; that the working time was to be 9½ hours for six days each week, except holidays to be fixed by the Governor, extra work to be paid at the rates in force for "native labourers," *i. e.*, creoles; that the immigrant should receive a house and medical attendance free; that not more than 12 dollars should be recoverable from any immigrant on account of advances made before embarkation. As to the rate of wages the Ordinance was silent, only providing that the rate, whatever it might be, should be entered in the contract. The wages of creole labourers seem to have been very low, the first class only earning 15 cents a day. The form of contract with Indian immigrants stipulates for the allowance of a ration detailed in the margin, at the fixed cost of 10 cents a day, a cost stated by the Danish authorities to be considerably below the market value of the food. The contracts provided for repatriation at the end of five years, and offered a bounty of 40 dollars for another engagement of the same length, without forfeiture of the right to return passage. A labourer coming late to work, or absenting himself for part of the day, was made liable to forfeiture of the whole day's pay, and, if absent without reasonable cause for a whole day, might be fined a day's pay in addition. Absence for two days in the week or habitual absence was made liable to punishment by "imprisonment or hard labour" for 30 days. The clauses securing redress of grievances to the immigrant were very vaguely worded. But both the Courts and the Governor were vested with a power, in "grievous cases," to release an immigrant from his engagement, or even to remove all the immigrants on an estate. There was also a clause securing to the coolie in general terms the right of access to the British Consul.

[T]he terms of con[tr]act and the nature [of] the colonial re[gu]lations.

[l]b. flour.
[„] rice.
[o]z. dál.
[„] ghí.
[d]rachms condiments.

[Pro]visions for [red]ress of immi[gran]ts' grievances.

In forwarding the papers of which the above is a summary, the Secretary of State observed that "it now only remained for the Government of India to take the necessary steps for obtaining legislative sanction to the proposed scheme of emigration," and the Government of the day seems accordingly to have accepted, without comment, the terms proposed, though, perhaps, open to objection, especially in regard to the clauses imposing penalties for absence from work. On the 4th February 1863, Act VII. of that year received the assent of the Governor General. It placed St. Croix exactly in the position then occupied by St. Lucia and Grenada, as soon as, under the 3rd section, the Governor General in Council should notify that such regulations had been provided and such measures

[Ter]ms accepted, and [Act] VII., 1863, [pass]ed, placing emi[grati]on to St. Croix [on t]he same footing [as th]at to St. Lucia [and] Grenada.

measures taken as he deemed necessary for the protection of emigrants in the colony of St. Croix, and in respect of their return to India. This notification was made on the 17th of the same month. (See p. 44 below)

Water

In 1860, the Secretary of State forwarded papers showing that in the case of emigrant ships sailing from England, a reduction of one-half in the quantity of water was allowed when a Normandy's distilling apparatus was carried, and Sir C. Wood directed that a reduction of one-third should be permitted in ships similarly provided sailing from India. It was pointed out that the water thus supplied would be wholesomer than Hooghly water. The necessary steps were taken to bring in a Bill, and the law was ultimately amended in the desired sense by Act XLIX. of 1860. At the same time tank-boats were built to be used for the emigration service in bringing down wholesome water from some point up the Hooghly 20 or 30 miles above Calcutta.

Act XLIX. of 1860 modifies the scale of water supply in case of vessels supplied with distilling apparatus.

Women

It has been noticed that, though the Act of 1842 gave the Governor General in Council power to fix a certain proportion of women as the minimum which should sail on any ship carrying immigrants, no action in this direction was taken by the Government of India, which, indeed, proposed at first to fix a maximum limit, a proposal, however, disallowed by the home authorities. As far as I can discover, the first steps towards securing a more adequate proportion of women were taken by the Colonial Office. In 1856 the Court of Directors forwarded copy of a despatch addressed by Mr. Labouchere to the Governor of Mauritius, directing that the "number of males to be introduced in 1856 should not exceed, under any circumstances, three times the number of females introduced in 1855; that the number of males in 1857 should not exceed three times the number of females introduced in 1856; and that for 1858 the number of males should not exceed twice the number of females introduced in the previous year." Analogous instructions had been issued to the West Indian colonies to which emigration was permitted, the emigration season being substituted for the calendar year. A subsequent Colonial Office despatch so far modified the instructions to the West Indian Governments as to direct the proportion to be calculated between the males and females of the same season. In regard to Mauritius the proportion seems to have been again lowered to 45 per cent. But in 1860 the Duke of Newcastle informed the Calcutta Emigration Agent for Mauritius that no ship should be despatched to that colony without the proportion of 50 per cent. of female to male emigrants, unless for the purpose of adjusting any excess of women previously despatched. In the same year, however, the Convention with France was concluded; and as Section 29 of the Act (XLVI. of 1860) which gave effect to this Convention, laid down the proportion of women at one-fourth for the first three years, the proportion of women emigrating to British colonies was, on the representation of the agents, and with the concurrence of the Secretary of State, also lowered to one-fourth of the number of men.

Proportion of women.

First steps taken b[y] Colonial Office.

Proportion fixed [at] 25 women to ever[y] 100 men.

Another indirect result of the Convention has already been noticed, namely, the extension of the term of first indenture to five years in British colonies. In respect to West Indian colonies the Government of India does not seem to have been consulted as to the change, or even specially informed of it.

Effect of Conventi[on] upon term of inde[n]ture in British colonies.

Seychelles

In 1862, on the representation of the Government of Mauritius, an Act was passed (XXII. of that year) placing emigration to the "British colonial dependency of Seychelles" in the position of emigration to Mauritius (or nearly so, for some of the Acts modifying Act XV. of 1842 on minor matters seem to have been overlooked). A section is added allowing emigrants for Seychelles to be taken to undergo quarantine at Mauritius, and in such case the emigrants are allowed to contract for service in that island. The Act also contains the usual proviso that it shall only take effect when the Governor General in Council should notify that the necessary measures had been taken at the place of destination for the protection of emigrants, and in respect of their return to India. I have had careful search made for any such notification, but in vain. Nor do the emigration statements furnished by the several Protectors show any trace of a separate emigration to the Seychelles Archipelago.

Emigration to Seychelles. Act XXII. of 186[2].

Reunion rule[s]

In 1861 the Government of Madras drew up a code of "rules for observance in the operations connected with the recruitment and despatch of emigrants to Réunion," and forwarded them to the Secretary of State. The latter suggested that, as far as possible, the same rules should be brought into force in all Presidencies, and that a reference should be made to the Government of India. While the Madras rules were under consideration, a correspondence was received in which the French Government set forth certain objections to the proposed code, as calculated in some respects to shackle the operations of recruiting agents. These objections were directed against a rule requiring recruiters to be careful not to induce persons improperly to abandon their homes and families, against a rule requiring intending emigrants to appear before a civil officer of the district in which they are recruited, and against a rule limiting the number of emigrants carried in one ship. Sir C. Wood pointed out that the rules proposed for emigration to Réunion were proposed also for emigration to British colonies.

Madras rules of 1861-62.

In returning the rules to the Government of Madras with the correspondence about the objections of the French Government, as also with remarks of the Calcutta Protector of Emigrants, it was observed that the penal code might be relied on to check kidnapping, and that males of 14 years of age should be allowed to emigrate if so minded, and it was pointed

Orders of the Go[vernment] of Indi[a]

pointed out that the proposed limitation of the number of emigrants on board any one ship was a measure of doubtful legality, and had not been found necessary at Calcutta. And in order to obviate doubts and remove all ground of complaint on the part of the French authorities, it was suggested that a revised code, applicable to all emigration, should be prepared. The Secretary of State pointed out that, as legislation then stood, this was not altogether possible. However, the Government of Madras did submit a revised code for application to both cases, and the rules seem to have been passed, although they retained the clauses specially objected to by the Government of India.

Substance of the Madras rules.

The revised rules require recruiters to be licensed for one colony only by the agent of such colony, and, before proceeding to recruit in any district, to obtain the counter-signature of a magistrate. They are specially warned against recruiting persons who may have improperly abandoned their homes, and against allowing persons under 18 years to embark unless accompanied by relatives of mature age: The Protector is authorised to prevent embarkation in such case. When a batch of emigrants is collected they are to be brought before the magistrate and registered and sent down under charge of a peon to Madras, where they are to be kept in depôt for at least five days. To this depôt the Protector and emigration surgeon are always to have access. As soon after arrival as possible the emigrants are to be brought before the Protector, who is to examine them as to the nature of their engagements, and all contracts are to be executed in his presence and to bear his counter-signature. The Protector is to cause vessels selected for emigration to be surveyed, but no license is to be for more than 350 emigrants. Boats are to be provided according to tonnage and number of emigrants carried, and the Protector is to examine samples of the stores and provisions. The ship's surgeon is to be subject to the approval of the Principal Inspector General of the Medical Department, and if he cannot converse with the emigrants in their vernacular, an interpreter is to be shipped. In all cases three interpreters must be carried to colonies west of the Cape. Rules are also laid down for ventilation, cleanliness, the provision of hospital and privy accommodation, life-buoys, medical stores and comforts, ship's fittings, and the like; but the rules are not very precise. The dietary is a revised one, the chief change from that before in use in Madras and adopted in Bengal, as above noticed, on Dr. Mouat's recommendation in 1859, being the increase in the quantity of rice from 20 to 24 ounces. The allowance of firewood was also increased where the numbers were small, and in respect of water the rules go back to what was then the allowance prescribed by law, viz., five gallons a week.

[M]inor points in the [h]istory of emigra[ti]on up to the pass[in]g of Act XIII. of [1]864.

There is not much more of importance in the history of emigration prior to the passing of the consolidating and amending Act of 1864, but I may briefly notice the substance of some trains of correspondence belonging to the period.

[C]omplaints of [M]adras Chamber of [C]ommerce.

In 1862 the Madras Chamber of Commerce complained that the emigration from Pondicherry was very ill conducted, there being, as they alleged, no security for the emigrants being free agents. The French Governor wrote very angrily about it, and an inquiry was instituted which went far to prove the groundlessness of the charge, which was probably (as suggested at the time by Mr. Grey) *motivé* by jealousy of Pondicherry as carrying away the shipping engaged in the coolie trade.

[R]elaxation of the [ru]le requiring a [E]uropean surgeon [in] French vessels.

In the same year the Government of India allowed the Government of Madras to relax the rule requiring a European surgeon on each emigrant vessel sailing to French colonies (a stipulation embodied in the Convention), so far as, in case of necessity, to permit any medical man holding a diploma to be put in charge.

[F]ees to be levied at [ti]me of recruitment.

In 1862 the Government of India brought to the notice of the Secretary of State that no fee was levied at French ports of embarkation. Sir C. Wood, with the consent of Lord Russell, directed that a fee should be levied on all emigrants in the district where recruited, and the Government of Madras was directed to take executive action, pending a revision of the law. This practice involved the appearance of the emigrants before the magistrate of the district, to which, as we have already seen, the Pondicherry authorities objected. In 1863 the Government of Madras so far relaxed the rule as to allow the Consular Agent at Pondicherry to conduct the examination of emigrants being British subjects actually there recruited. But the privilege was abused, and, in spite of the protests of M. Bontemps, withdrawn. Recruiters, too, had been unnecessarily multiplied, and the licenses of the excess number were cancelled. Perhaps, Act XIII. of 1864 having not then become law, the legality of these proceedings would not bear very close scrutiny.

[Fr]ench ships allowed [to] pick up their [co]mplement [gra]dually.

In 1863, as it was represented that there was a difficulty in collecting a full complement of emigrants at the smaller French Indian ports, Sir C. Wood permitted French ships to pick up their passengers gradually, touching at Karikal, Yanam, and Mahé.

[Pr]ofessional cooks.

In 1862-63, complaints having been made of bad cooking of rations on board ship, the agents at Calcutta were required, after much protesting, to ship professional cooks.

[Co]mplaints from [Ré]union of physical [c]apacity of [lab]ourers, and cor[res]pondence arising [the]refrom.

In October 1862 the Secretary of State forwarded some correspondence, from which it appeared that the Réunion planters complained of the feeble physique of the coolies sent from Calcutta, and that a breach of contract had been committed by the employment of these labourers at lower wages than had been stipulated for at the time of their engagement in India. Against this Sir C. Wood had protested, citing Article 21 of the Convention

tion as demanding the repatriation of such labourers at the expense of the French Government. M. de Chasseloup Laubat thought the Article* cited did not apply to the case in question; but issued orders that "the wages of each coolie recruited should be fixed according to his physical fitness, it being optional with him to accept the offer; that in cases where it might be necessary to reduce the wages of emigrants on their arrival at Réunion, it should be left to them to accept or refuse the new offers made to them; and that it should only be on their refusing such offers and at their own request that they should be sent back to India." The Consul at Réunion, however, and the British Government refused to accept this view, and the former was instructed to "guard against any revival of the practice either with or without the sanction of the Government of Réunion."

* "Emigrants who may become permanently incapable of work, either by sickness or by any other cause, beyond their own control, shall be sent back at the expense of the French Government, whatever time may still be wanting to entitle them to a free return passage."

Mortality on voyage to Réunion.

A long correspondence took place also between the Consul at Réunion and the Government of India about the mortality on board ships from Calcutta. The French authorities alleged neglect of precautions at Calcutta; but the Governments of Bengal and India refused to admit the correctness of this view, and attributed the mortality to bad treatment of the emigrants on the voyage to the colony, a view that was confirmed by the neglect from which certain return emigrants (rebutés, or men rejected as unfit for labour) were proved to have suffered on their return voyage. The correspondence had no very definite result. In fact, in dealing with abuses connected with emigration to foreign colonies, the Government of India stands at a great disadvantage. The primary impulse of a remonstrance, however vigorous, is lost in its transmission through so many intermediaries, and the hands of Government are held back from bringing into play the only direct engine at its command by the counter-threat of termination of the Convention and revival of recruitment of negroes "par voie de rachat."

Act XIII of 1864

The enactment of Act XIII. of 1864, an important epoch in the history of emigration.

We now come to an important stage in the history of emigration, viz., the passing of Act XIII. of 1864. The grounds of this enactment cannot be more clearly set forth than in the following "Statement of Objects and Reasons" by Mr. (Sir H.) Maine :—

Mr. Maine's statement of objects and reasons.

"The emigration laws in force in India have for some time past been under the consideration of the Government of India. In preparing a measure for the amendment and systematisation of those laws, it has been thought desirable to keep the following objects in view :—

(1.) The consolidation (with the necessary improvements) of the various Acts now on the Statute Book; — *1. Consolidation.*

(2.) The repression of any abuses which may exist in the recruitment of labourers; — *2. Regulation of recruitment.*

(3.) The protection of the labourers, and the regulation of the depôts; — *3. Regulation of depôts.*

(4.) The definition and description by express law, of the duties of the Protector of Emigrants; — *4. Definition of the duties of Protector.*

(5.) The removal of the discrepancies which exist between the system of emigration to French colonies and the system under which emigration takes place to dependencies of the British Empire and certain other localities; — *5. Assimilation of law as to emigration to British and French colonies; and*

(6.) The removal, by well-considered general provisions, of the necessity for separate legislation in particular cases. — *6. Removal of necessity for legislation in particular cases.*

Consolidation.

"I. With a view to the consolidation of the law, all previous statutes relating to emigration (with the exception of Act XLVI. of 1860, and Act VII. of 1862, but including the Crimping Act) are repealed. It is supposed that the provisions of the penal code as to abduction or kidnapping, and the somewhat severe penalties in this Bill provided to prevent involuntary emigration, will have the effect of rendering the Crimping Act superfluous.

Regulation of recruitment.

"II. The task of framing provisions for the effectual repression of abuses which exist, or which may possibly grow up in the recruitment of labourers, has been very greatly facilitated by the passing of the recent Bengal Act III. of 1863. That Act appears to have been so carefully considered and to be so well calculated to effect its object, that it has been thought desirable to follow it substantially in the part of the present measure now under consideration. The principal difference between the machinery of this Bill and the system which it is intended to supersede consists in the provision that every recruited labourer shall, instead of being forwarded at once to the coast, be taken before a magistrate for registration. Previously to registration, the magistrate will interrogate the recruit as to his comprehension of the engagement and willingness to fulfil it. The recruit, if the examination should prove satisfactory, is then under proper regulations to be forwarded to the depôt, and there to be at once inspected by the medical officer. The recruiter is to be regularly licensed, and the later sections of the Bill provide by penalties of fine and imprisonment against unlicensed recruiting, against neglecting to take the recruit for examination before a magistrate, and against forwarding the recruit to the coast without registration. Further, in order to punish and prevent malpractices which are said to be not unknown in some parts of India, any person who may falsely represent himself to have Government authority for recruiting, or who may attempt to induce the police to assist him, is rendered liable to imprisonment or fine.

Regulation of depôts.

"III. For the protection of the emigrant when he has reached the coast depôts are to be licensed and to be liable to constant inspection. There is to be a medical officer for every place to which emigration is authorised. The Protector is to be present at the first examination of the labourer and at his embarkation. If he is unfit to proceed on his voyage, the emigration agent of the colony for which he was intended must send him back to his district. The Bill provides securities (consisting in the magistrate's registration, the emigration agent's certificate, the list of the Protector, the list of the captain of the emigrant vessel, and the list of the Customs officer) against any other than registered emigrants being embarked. It further provides for the survey and licensing of emigrant ships, and for their being duly provisioned and supplied with medical stores, boats, and other necessaries.

Duties of Protector defined.

"IV. The Bill for the first time gives a legal description and definition of the duties of a Protector of Emigrants. Although the Protector is relieved from some of his functions by the provisions for local registration in the emigrant's district, it is assumed that his duties are still sufficiently numerous and important for it to be desirable that the Protector should be an officer with no other avocations. These duties will embrace the general superintendence of the emigrants from the time when they are brought down to the port to the moment of embarkation. It should be repeated, however, that the Protector will no longer conduct the inquiry as to the free will of the emigrant. The responsibility of that investigation is thrown by the Bill on the local magistrate.

Emigration to French and British colonies placed as nearly as possible on the same footing.

"V. French colonies have now advantages in their Acts on three chief points; the time during which their ships may sail for the West Indies, the space required for emigrants, and the proportion of women they are compelled to carry. The Bill proposes to assimilate the general law on the first two points to the French Acts, and gives power to the Governor General in Council to fix the proportion of women. The question whether other emigration agents should be paid by fees, as the French agents may be paid, is resolved in the negative.

Provision for extension of the field of emigration without recourse to fresh legislation in each case.

"VI. The advantage of providing a uniform and general system, which may be known to British Colonial Governments and to foreign Powers as containing the sole conditions on which emigration from India can be allowed, has been considered to justify a part of the measure which will prevent recurrence to separate special legislation adapted to particular treaties, and will empower the Governor General in Council to authorise emigration, but subject always to the proposed Act, to any new colony or locality. The Bill continues the legality of emigration to those places to which it is now lawful."

Some additional remarks under the above six heads. Consolidation.

Recruitment.

A mere enumeration of the Acts, 19 in number, through which the law on the subject of emigration was then scattered, sufficiently proved the need of consolidation. The necessity of bringing the process of recruitment under some form of control had long become manifest. In Madras the practice had been introduced, with the consent of the agents, of requiring recruiters before commencing operations in any district to obtain the counter-signature of the magistrate to their license, and of bringing intending emigrants before a magistrate previously to their leaving the district in which they were recruited. And rules to this effect were embodied in the Madras revised code of 1861. In Bengal the attention of Government had been specially called to this part of the system by Mr. Beyts, Protector of Emigrants at Port Louis, who had been deputed by the Colonial Government to enquire into the practical working of emigration in India. Mr. Beyts' suggestions were in the main approved by the Lieutenant Governor and the Government of India, and were very closely followed in the subsequent legislation. The points of deviation, when of any importance, will be noticed when we come to consider the law in detail. Pending legislation, however, the Government of Bengal was authorised to adopt Mr. Beyts' rules as slightly modified by the Lieutenant Governor, so far as they could be enforced without express sanction of law. Under Mr. Maine's third head, the legislation for the control of depôts is almost entirely new. They are not mentioned in the laws before passed, nor in the Calcutta rules. They are briefly noticed in the Madras rules of 1861. Doubtless the legislation embodies the practical experience gained. On the important point of a medical inspection, the law had already been anticipated at Calcutta by executive action. The necessity for a definition of the duties of the Protector had been forcibly illustrated in 1860 by the case of the "Tyburnia," in which the Secretary of State called for a report on the circumstances attending the embarkation of emigrants. A very unsatisfactory explanation was given by the Calcutta Protector, and it was clear that his supervision was lax in the extreme. It became evident that a separate officer must be appointed Protector, and this was at once done. The duties had, till then, been performed by the master attendant with the aid of an assistant Protector, who was also third assistant master attendant. The registration fee was at the same time revived throughout India. But only 8 annas was to be charged on each immigrant above 5,000 recruited in any one year. With regard to the definition of the Protector's duties, the Government of Bengal submitted a report from the committee which had recently sat, and their recommendations, as modified on some points by the Lieutenant Governor, have been embodied in Act XIII. of 1864.

Depots.

Duties of the Protector.

Case of the "Tyburnia."

Analysis of the law.

On Mr. Maine's 5th and 6th points no further remarks are necessary, and I pass to the provisions of the law, which received the assent of the Governor General on the 18th March 1864.

Act

Preliminary.

Act XIII. of 1864.—Section 1 clears the ground by making an absolute *tabula rasa*, as far as emigration to British colonies is concerned. All previous laws on the subject of emigration are repealed, except Acts XLVI. of 1860 and VII. of 1862 relating to French colonies. Section 2 is a section of interpretation. The only definitions of importance are those of the words "emigrant," "emigrate," and "British India." The change introduced in the definition of "emigrant" and its cognate verb will be seen by comparing Section 2, Act XXIV. of 1852, with the corresponding clause in the Act of 1864:—

Definition of "emi grant" and "emigrate,"

Section 2, Act XIII. of 1864.—* * * The word "emigrate" shall denote the departure of any native of India out of British India for the purpose of labouring for hire in some other place; and the word "emigrant" shall denote any native of India under engagement to emigrate. * * *	*Section 2, Act XXIV. of* 1852.—The departure of any person out of the territories under the government of the East India Company by land or water is emigration from the said territories within the meaning of Act XIV. of 1839, and of this Act.

and of "British India."

The definition of "British India" is only noticeable, because it excludes the Straits Settlements. This exclusion had unforeseen results when these colonies came to be removed from the control of the Government of India.

Re-enactment of exemptions.

Section 3 re-enacts the exemptions in regard to (*a*) emigration to foreign settlements on the mainland; (*b*) emigration to Ceylon; and (*c*) sailors and menial servants, contained in Section 3, Act XXIV. of 1852, Section 1, Act XIII. of 1847, and Section 3, Act XIV. of 1839, respectively. It also puts native States in the same position as foreign settlements on the mainland of India.

Emigration whither lawful.

Section 4 declares emigration lawful to the British colonies of Mauritius, Seychelles, Natal, Jamaica, British Guiana, Trinidad, St. Lucia, St. Vincent, and St. Kitts, and to the Danish colony of St. Croix. Doubtless the intention was to maintain the *status quo* in respect to colonies other than French. But it seems to have been overlooked that, though the necessary legislation had been carried through in the case of Seychelles, the supplementary notification had never been issued. So far, therefore, as that dependency was concerned, the Act did effect a change in the law.

May be permitted, under certain conditions, elsewhere.

Sections 5, 6, and 9 are new. They enable the Governor General in Council from time to time by notification to permit emigration to any other places, provided that such notification shall contain a declaration that the Governor General in Council has been duly certified that sufficient arrangements have been made for the protection of emigrants, and legalise contracts for labour to be performed in such places. Section 9 requires the probable length of the voyage to be notified.

Ports of embarkation.

Section 7 restricts emigration to the ports of Calcutta, Madras, and Bombay. This was the existing law. The change proposed by the Lieutenant Governor of Bengal, that Government should have power to open other ports, was not approved.

Length of voyages.

Section 8 fixes the probable length of voyages. No change is here introduced.

Appointment of agents.

Sections 10 and 11 provided for the nomination of agents by the colonies concerned, and confirm the existing agents. These sections practically re-enact those portions of the previous law which bear on the subject.

Their remuneration to be fixed.

Section 12 re-enacts the prohibition against agents being remunerated otherwise than by a fixed salary. In 1861 the Duke of Newcastle, then Secretary for the Colonies, had suggested that, in the case of the smaller colonies at any rate, the prohibition might be rescinded. It was urged that emigration was under much better control than in 1842, when the prohibition was first enacted, and that there being no such rule in regard to French colonies, British colonies were placed at a disadvantage. The Government of India, with the assent of the Secretary of State, thought that the rule might be safely rescinded, the appointment of agents being, however, as in the case of French emigration, made subject to the approval of the local Government. This correspondence would appear to have been overlooked at the time of amending the law, though the matter was specially noticed by the Emigration Board in reviewing the draft Act. Recently the report of the British Guiana Commission brought to light the fact that since 1854 the agent for that colony had been partly paid by a capitation grant, and it was discovered that the same was the case in regard to Jamaica. Steps have been taken to put an end to what, as the law stands, is an illegal form of remuneration.

Appointment of Protectors.

Section 13 enables each of the three local Governments concerned to nominate a Protector, and, with the sanction of the Supreme Government, to assign him salary and establishment. The local Governments are also empowered to remove such Protectors. This is somewhat of an expansion of Section 2, Act XXI. of 1843, and corresponding sections in subsequent Acts.

Protector not, without permission of local Government, to hold other office or pursue other calling. Existing Protector confirmed.

Section 14 forbids a Protector, without the permission of the local Government, to hold any other office, or follow any other profession or occupation. This clause was introduced because it had been found in 1860 that the combination of the duties of master attendant and Protector had led to the very perfunctory performance of the protectorate work. Section 15 confirms existing Protector.

General duties of Protector.

Section 16 declares that, besides the special duties assigned to him, the Protector shall generally protect and aid all emigrants and inspect return emigrants, and inquire into their treatment

treatment both in the colony and on the voyage. The previous laws in no way defined either the general and special duties of the Protector. All he was required by law to do was to countersign emigrants' passes.

Medical inspector to be appointed.

Section 17. The appointment of a medical inspector of emigrants at each of the three ports of embarkation, which is authorised by this section, was also a suggestion of the Bengal Committee, and had, in fact, been acted on before it thus obtained express legal sanction.

Establishment and licensing of depôts for each colony.

Sections 18 and 19 require the establishment of a depôt for every colony, each such depôt to be licensed by the Protector; the license not to be in force for more than a year, and a fee of 10 rupees to be paid for every license. The necessity for a separate depôt for each colony had been shown in 1862, when complaints had been made of the recruiters for one colony kidnapping those enlisted for another. The section requiring the emigrant to be at once brought before the Protector was also meant to meet this evil.

Inspection of depôts.

Section 20 requires both Protector and medical inspector to visit each depôt at least once a week, and to examine into the state of the depôt and the manner in which emigrants are "lodged, fed, clothed, and otherwise provided for and attended to." Section 21 binds the medical inspector to report the unsuitability of any depôt, or any case of oppression or neglect of emigrants.

Protectors and medical inspectors to be "public servants" within the meaning of the Penal Code.

Section 22 constitutes Protectors and medical inspectors "public servants within the meaning of the Indian Penal Code."

Agents and all concerned in emigration to aid Protectors and medical inspectors.

Section 23 makes it incumbent on emigration agents and all persons connected with emigration depôts and emigrant vessels to give the Protector and medical inspector every facility for inspection, examination, and survey, and to afford them all reasonable information.

Regulation of recruitment.

Each recruiter to be licensed by Protector.

License to be countersigned by magistrate.

Sections 24–29 regulate the operations of recruiters, who now first receive express legal recognition. The Protector is empowered, on the application of an emigration agent, to license so many fit persons as he may deem necessary to be recruiters of labourers. The license, on which a fee of 10 rupees is payable, is to be in force for one year, and is to specify the colony for which the recruiter acts. Licenses may be withdrawn for misconduct. Each recruiter is to wear a badge, and not to recruit before obtaining the counter-signature upon his license of the magistrate of the district, or the magistrate of a presidency town, according to his circle of operations. The magistrate, however, must countersign, provided the license is in force. The Mauritius authorities had protested, but in vain, against the power of licensing recruiters being intrusted to the Protector instead of to the agent.

Recruiter to bring intending emigrants before the magistrate of the district, or Protector, as the case may be.

Examination and registration of emigrants by magistrate or Protector.

Magistrate or Protector in certain cases to refuse registration.

Fees on registration.

Sections 30-35. These sections require the recruiter to appear with his labourers before the magistrate of the district if he recruits in the Mofussil, and before the Protector if he recruits in a presidency town. The magistrate or the Protector then, as the case may be, is bound to examine each intending emigrant, and if he appears to understand the nature of his engagement, and to be willing to perform the same, the magistrate or Protector is to register his name, his father's name, his age, his village, the depôt for which he is bound, and "the rate of wages and period of service, if any, agreed upon between the emigrant and the recruiter." A copy of the entry in the register is to be furnished to each emigrant. If the magistrate or Protector be of opinion that the intending emigrant does not understand the nature of the engagement, or has been induced by fraud or misrepresentation to enter into it, he is to refuse to register his name. The Mauritius Government protested loudly against this clause. A fee of 1 rupee is payable on each emigrant registered, and copy of every registration is to be forwarded by the magistrate of a district in the interior both to the Protector and the emigration agent concerned; when the Protector registers, by him to the agent.

Journey to depôt.

Procedure on arrival.

Examination by medical inspector, and procedure thereon.

Sections 36–40. Emigrants are to be taken with as little delay as possible to their depôt, being attended either by the recruiter or by some person appointed by him and approved by the magistrate, and being provided with food and lodging during the journey. Their arrival at the depôt is to be immediately reported to the agent and Protector. The medical inspector also is to make an immediate examination of each emigrant. If satisfied that the emigrant is in a fit state of health to emigrate, the medical inspector is to certify the fact to the agent; if satisfied of his unfitness, to the Protector. In this latter case, or if any irregularity shall have occurred in the recruitment of any emigrant, the Protector may direct the agent to pay a reasonable sum to enable such emigrant to return to the place where he was registered; and if the agent refuse, the Protector may pay the amount and recover from the agent. If not at the time fit to travel, such emigrant may further be kept in the depôt at the expense of the agent till he is fit to return. These provisions deviate slightly from Mr. Beyts' scheme. He had proposed that the recruiter should be bound personally to accompany the intending emigrants, and advocated a central depôt at Calcutta as well as a depôt at Rániganj. These details of his plan were not approved of.

Examination by agent and Protector.

Sections 41–43. Within 48 hours of arrival at depôt each emigrant is to be personally examined by the agent, in presence of the Protector, as to whether he has been properly fed

fed and otherwise properly treated on his journey, and the copy of the register in his possession is to be examined. Unless the agent, with the consent of the Protector, repudiates the contract entered into by the recruiter, the Protector and agent, or the agent only, as the case may be, shall countersign the copy of the register. If the agent, without the consent of the Protector, refuses to be bound by the contract, he is liable for the expenses of the labourer back to the place of registration, and the Protector may institute a suit for damages for breach of contract; and in such suit the contract shall be binding on the agent. After the examination above described, the agent is to deliver to each emigrant, who has been pronounced by the medical inspector fit to emigrate, a pass stating his name and age and his father's name, and certifying that he is in a fit state of health to emigrate. The Protector, if satisfied that the necessary inquiries have been made, is to countersign each pass. This pass so countersigned was required by the old Acts XV. of 1842, XXI. of 1843, and XXI. of 1844.

Penalty for refusal or neglect to embark.

Section 44. An emigrant refusing or neglecting without sufficient cause to embark is not to be forced on board; but may be prosecuted under Section 492 of the Indian Penal Code.

Season of emigration.

Section 45 regulates the season of emigration. With regard to places east of the Cape no restriction is imposed, the law continuing unchanged. With respect to colonies west of the Cape, the open period for emigration from all three ports was extended to that laid down in the Convention with France, viz., from 31st July to 16th March, both days exclusive. The Government of Jamaica had in 1861 pointed out that, as the law stood, British colonies were placed at a disadvantage. The season was thus lengthened by a month and a half at Calcutta and Madras; by two months and a half at Bombay as regards the larger West India colonies. But no emigration from Bombay to the West Indies has as yet taken place. A proviso was also added exempting "vessels using steam power" from the rule. The change in the open period and the reservation in favour of steamers were both made in order to assimilate the law applicable to British colonies to that in force for French settlements west of the Cape.

Ships to be licensed.

Section 46 requires every emigrant ship to be licensed. Such license can only be issued on a certificate by the Protector of Emigrants to the effect that the vessel is in all respects suitable for the conveyance of emigrants; and such certificate can only be issued after survey by a competent person "with a view to ascertain her sea-worthiness, the extent and nature of her accommodation for emigrants, and that she is properly ventilated and supplied with all requisite tackle." In consideration of the license, the master executes a bond, in duplicate, binding himself and his owners in a penal sum of 10,000 rupees to conform to the several conditions in this Act provided. The principle of the section was not new, but it lays down more precisely the points to be certified before issue of a license.

Minimum of space.

Section 47 relates to the space to be provided. It required that, either between decks or in cabins on the upper deck, firmly secured and entirely covered in, a space, having in every part a height of not less than 5½ feet, shall be devoted to the exclusive use of emigrants. No compartment is to take more than one adult emigrant for every 10 superficial, and for every 72 cubic feet. The hospital is to be separate and distinct; women and children are to occupy a compartment separate from that of single men. An emigrant over the age of 10 years is to count as an adult, and two children from 1 to 10 as one adult. This section introduced some change; but, as it was afterwards modified, a connected narrative of the legislation on this point will be given when we come to Act VI. of 1869.

Provisions, fuel, and water to be shipped.

A surgeon and medicines and medical stores to be carried.

Section 48 requires every ship to carry good and wholesome provisions in such quantity and of such kind as prescribed by any rule framed under Section 63: fuel for cooking the same and a supply of water properly stored, at the rate of seven gallons per week for every emigrant, a properly qualified European or native surgeon, and medicines or other stores, according to rule. If a vessel intends to stop at any port to water the water shipped shall be for the estimated voyage to such port; and if she carries a Normandy's distilling apparatus, a reduction may be allowed in the quantity shipped. Both Protector and medical inspector are made responsible for seeing personally that the provisions of this section are complied with. The changes here introduced are: (1) the increase of the quantity of water from five to seven gallons; (2) the making it essential to carry a qualified surgeon; and (3) the distinct definition of the duties of the protective officers. The section lays down some very minute rules as to storage of water, but does not adopt the suggestions of the Government of Bengal (of which, however, approval had been expressed in 1862), that the full compulsory supply should be carried in iron tanks, and that every vessel should be bound to carry a Normandy's distilling apparatus.

Extra clothing in certain cases.

Section 49 requires an extra double blanket to be provided for emigrants sailing to colonies west of the Cape between 1st March and 15th September. This provision is borrowed from Article 63 of the Convention with France.

Certificate of compliance with rules be obtained by master.

Section 50 requires the master of every emigrant vessel to obtain, before clearing out, certificates from the Protector and agent to the effect that the provisions of the Act and the rules prescribed under Section 63 have been complied with.

Examination of emigrants as to health.

Under Section 51 the Protector is bound to ascertain from the report of the medical inspector, and by personal communication, that every emigrant is "in good health, and not

not incapacitated for labour by old age, bodily infirmity, or disease." If the Protector believes any emigrant unfit to undertake the voyage, he may stay his embarkation. The Protector is also to see that each emigrant has a copy of his registration. This section does not seem altogether consistent, either with itself or with the expressed views of the Government of India. It was held by that Government, in concurrence with the Lieutenant Governor of Bengal, that the Protector should confine his inquiries to the fitness of the emigrant for the voyage. And, indeed, the section, though it enjoins upon the Protector to inquire into the emigrant's fitness for labour, does not empower him to stay embarkation, except on the ground of unfitness for the voyage. The point was noticed, but after the Act had passed, by the Emigration Board. Their remarks were much to the above effect.

Protector to explain provisions of the Act to emigrants.

Section 52 requires the Protector to explain to emigrants "in a general way" the provisions of the Act, "so far as they are likely more immediately to affect them."

Lists of emigrants, and mode of their disposal.

Sections 53 and 54. The emigration agent prepares five copies of a list specifying, as accurately as may be, the names, ages, and occupations, and fathers' names, of the emigrants about to embark. These he makes over to the master of the vessel. The master and the Protector compare the list with the passes delivered up by the emigrants as they come on board, none being admitted without such pass. If the lists are correct, the master signs them; two he delivers to the Protector, who signs both and returns one; two he delivers to the agent, who signs both and returns one. This latter is given up at the port of debarkation by the master, who also is bound to return to the emigrants their passes.

Duties of Customs officer and pilot.

Sections 55–57 require the Customs officer or pilot, whichever is last on board, to call over the roll and note any discrepancies, as also to sign a declaration that to the best of his belief no additional emigrants have been received on board, and that the Act has been generally observed. The muster roll and declaration are to be forwarded to the Protector. These sections are evidently meant for Calcutta only; this is clear from Section 14, Act XV. of 1842, whence the provisions are adopted, but is not specified in the Act. They were afterwards repealed as useless checks. By Section 58 the Protector is bound to send a correct and detailed list of all emigrants embarked in any vessel to the proper authority at the port of debarkation.

Copy of list to be sent to port of debarkation.

Vessels to sail within 24 hours of embarkation of first emigrant; at Calcutta to be in tow of a competent steamer.

Sections 59 and 60 require every vessel to sail within 24 hours of embarkation of the first emigrant, and every vessel sailing from Calcutta to go to sea under tow of a competent steamer.

The provisions of Sections 53 to 59 were dictated by experience as more effectual means of checking clandestine embarkation of additional emigrants. Section 60 was to diminish the risk of cholera, to which ships long in dropping down the river were found very liable.

Copies of Act and rules to be kept on board.

Section 61, which requires two copies of the Act and rules, together with translations, to be kept on board, is borrowed, with modification, from Section 10 of the Order in Council embodied in Act XV. of 1842.

Vessels bound to Seychelles may do quarantine at Mauritius.

Section 62 merely reproduces Section 4, Act XXII. of 1862, allowing vessels bound for the Seychelles to do quarantine at Mauritius, and in that case giving labourers the option of taking service in the latter island.

The Governor General in Council empowered to make rules—
(1.) As to proportion of women and age of children shipped.
(2.) As to provisions and clothing.
(3.) As to medical care of emigrants in dépôt and on board ship.
(4.) As to medicines.
(5.) As to ventilation, cleanliness, and boats.
(6.) As to medical record of voyage.
(7.) And generally to provide for the well-being of emigrants.

Section 63 authorises the Governor General in Council to make rules—

(1.) To regulate the proportion of women and the age below or above which children shall not be taken.

(2.) To prescribe the kind, quality, and quantity of provisions to be carried, and the allowance of food and water to be issued daily, and the nature and amount of clothing to be supplied.

(3.) To provide for the medical care of emigrants at the depôts and on the voyage.

(4.) To prescribe the drugs and other stores to be carried.

(5.) To provide for ventilation and cleanliness of emigrant vessels, and for their being furnished with a sufficient number of suitable boats.

(6.) To provide for a full medical journal being kept by the ship's surgeon.

(7.) And generally to provide for the security, well-being, and protection of emigrants.

Such rules are to be published in the "Gazette" of India, and to have the same force and effect as if contained in the Act. Experience had shown that it was necessary to expand the list of objects for which rules might be framed given in the previous Acts.

Power of suspension.

Sections 64–67 re-enact, with some unimportant verbal changes, Act XIX. of 1856, vesting in the Governor General in Council the power of suspending emigration to any place where proper measures have not been taken for the well-being of the emigrants, and of revoking any such suspension. One of the conditions, the violation of which by the colonial authorities empowers the Government of India to suspend emigration, is the provision of a return passage. The Government of the Mauritius protested against the enforcement of this condition, the claim to back passage having been formally waived in 1853; but no notice seems to have been taken of the point, and though the condition was nominally

nominally binding, back passages from Mauritius have not been given till the present Governor discovered the flaw, and, under orders from Earl Kimberley, a return passage will now be provided.

Section 68 refers to the mode of bringing fees to account. I may take this opportunity of putting together such notices as I have found of the methods followed from time to time in order to relieve the revenues of India from any charge on account of emigration. At first the colony of Mauritius paid a lump yearly sum of 8,000 rupees. This being found insufficient to cover the charges, Act XV. of 1842 authorised the levy of a fee of one rupee on every emigrant shipped. In April 1844 Government decided that the fee should not be levied at the time of embarkation, but that the total of fees due should be debited to Mauritius at the end of the year. In 1851, however, the expenses were found to be less than the fees levied, and the Mauritius Government elected to pay the actual charges. As for the West Indian colonies, each Presidency prepared its account of charges incurred, and submitted it to the Home Government for settlement. In Calcutta a fee of one rupee per head was levied on emigrants to the West Indies and credited to a "West India Emigration Fee Fund," and against this a proportion of the expenses of the Protector and his office was debited. In Madras the actual total charges were debited, no fee being levied. In January 1859 the Financial Department directed that the levy of a fee should be done away with, and each colony charged through the Home Government with its *pro ratâ* share of the cost of the protectorate. But this plan did not work well, and the fees were reimposed in 1861 or 1862, and when the Medical Inspector was appointed his salary was charged to the "Emigration Fee Fund." We shall see that the fund afterwards became bankrupt, and the maximum of the fees leviable had to be raised. Financial.

Sections 69–78 and 80 contain the penalties for breaches of the various preceding injunctions of the Act. Section 81 permits prosecutions to be instituted on information laid at the instance of an emigration agent, or a Protector of Emigrants, or an officer specially appointed, *pro hac vice*, before the magistrate of the district or a magistrate of police, according to the place of occurrence of the offence charged. The same section further lays down the mode of procedure in case of non-payment of any fine imposed. By Section 82 the local Government can authorise any person vested with the powers of a magistrate, as decided in the Code of Criminal Procedure, to perform the duties and exercise the powers conferred by the Act upon the magistrate of the district. Procedure. Any full-power magistrate may be vested with power to perform duties assigned to the magistrate of the district.

Section 79 gives Customs officers and pilots the same powers for the prevention of offences against the Act as may be exercised by the former class for the prevention of smuggling. Powers of Customs officers and pilots.

Section 83 repeals so much of Section 8 of Act XLVI. of 1860 as allows a fee on license of ships. In other respects the provisions of the Act relating to emigration to French colonies are expressly maintained, Sections 19–41 inclusive of the Act of 1864 being, however, made applicable to recruitment for such colonies. Bearing of the Act on emigration to French colonies.

The exemption of vessels in the service of the Lords of the Admiralty and Her Majesty's vessels is repeated, and the Act is declared to come into force from the 1st July 1864. Exemption of certain classes of vessels. Commencement of the Act.

Soon after the passing of the Act, rules were passed for each of the three ports of embarkation. The Calcutta rules mainly followed those already in force, with the addition of a set of rules regulating recruitment and care in depôt, which were mainly a repetition of clauses of the Act. There were also some changes in the dietary of a somewhat unaccountable nature. Thus emigrants to Mauritius were given 4 oz. more rice per diem than emigrants to the West Indies, and changes were made in the proportion of the various condiments, as also in the scale of dry provisions, which, in the absence of any explanation by the Government of Bengal, are not easy to understand. Nor would it be now worth while to make inquiry, as the Calcutta dietaries have since been very carefully revised. Rules passed under the Act—in Calcutta.

The Madras rules also in the main preserved the *status quo ante*, even to retaining the water scale of five gallons a week, which, under the new Act, was illegal, a point overlooked when sanctioning the rules. The chief changes were in regard to recruiting and depôts. In Madras.

The Bombay Government did not adhere to the old Calcutta rules, which it had before accepted, but submitted a new code, which, though considered inferior in arrangement and comprehensiveness to the Calcutta rules, was duly notified. As emigration from Bombay ceased immediately afterwards, it would serve no practical purpose to analyse the rules in detail. In Bombay.

The Government of Mauritius in 1866 urged that it would be very desirable if some uniform code of rules for all ports could be introduced, and the Governments of Madras and Bombay were asked if they would accept the Calcutta code, which was on the whole considered the best. They both, however, demurred, maintaining the sufficiency of their own rules, and Madras triumphantly pointed to the low mortality on board ships from the Southern Presidency, as compared with the Calcutta emigration. The fact is patent; but it does not follow that an improvement even on the Madras rate would not have been effected Mauritius Government proposes uniform rules but local Governments demur.

effected by the adoption of the better considered Calcutta rules; indeed, in one point, as noticed above, the Madras code violated the law. However, it was not thought desirable to press for absolute uniformity, and the question was allowed to drop.

Queensland

Proposed emigration to Queensland.

In 1861 the Secretary of State sent out certain papers relating to a proposal to import Indian labour into Queensland, and shortly afterwards the Government of Madras proposed that emigrants should be allowed to proceed thither. But the Government of India refused to permit such emigration until it had under its view the colonial ordinances upon the subject, and Sir C. Wood quite approved of the refusal. Ultimately, regulations were promulgated by the Queensland Government, based mainly upon the Mauritius law then in force, and as soon as Act XIII., 1864, enabled the Government of India to enlarge the sphere of emigration without a special legislative enactment in each case, a notification was published legalising emigration to Queensland, and fixing the estimated length of the voyage. It seems, too, that the Queensland authorities appointed an agent at Madras.

No actual emigration thither.

But I cannot find that any emigration to Queensland ever took place, and in the consolidating Act of 1871 this colony is not mentioned among the places to which emigration is lawful. I know not whether this omission was intentional or an oversight in the reverse sense to that which occurred in regard to the Seychelles in the drafting of Act XIII., 1864.

Reunion

Cessation of emigration from British ports to Réunion.

In January 1865 the Consul at Réunion suggested that, in consequence of the general disinclination of the planters to accept Bengal coolies, emigration from Calcutta should cease. In fact, action in this direction had already been taken by the Colonial Government, and in the following year emigration, even from the port of Madras, ceased, all subsequent supplies of Indian labour being drawn from French ports in the Southern Presidency.

Desire of the French Government to modify the Convention.

In 1865 the French Government expressed a desire to modify the Convention. The changes proposed were (*a*) to declare that no regulations should be made which would impose any additional expense on French colonies, (*b*) to dispense with the registration before a magistrate, (*c*) to permit the addition to the term of contract of all absence from labour, (*d*) to extend the term qualifying for return passage from five to 10 years, (*e*) to permit the employment of native surgeons on vessels bound to Réunion, (*f*) to restrict the powers of British Consular Agents within the limits of the "droit commun," (*g*) to require the English Government to engage to remove all obstacles offered by native princes. The Government of Madras, which was the Government most concerned, vigorously protested against these changes, except (*e*) the substitution of Native for European medical officers on ships sailing to Réunion. The other changes do not seem to have been pressed.

St Croix (see p 34 ante)

Unsatisfactory accounts of the condition of Indian labourers at St. Croix.

In July 1865 the Government of India received from the Secretary of State copy of two Despatches from the British Consul at St. Croix, alleging the state of things in that island in respect of Indian labourers to be far from satisfactory. The following is a summary of Mr. Rainals' statements. Of 321 emigrants who left Calcutta in 1863, five died on the voyage, and 22 between 15th June 1863 (date of arrival) and 31st December 1864. The deaths in 1864 had been 19, or slightly over six per cent., while the mortality among native (*i. e.*, negro) labourers in 1863, with epidemic fever in the island, was considered excessive at five per cent.

As to health.

The health of immigrants had been bad even in 1863, skin diseases being very common. The Consul attributed their unsatisfactory physical condition to change of climate and diet, insufficient food, want of proper medical attendance, medicine, nourishment, and house room. This view he thought borne out by the fact that the mortality was least on the estates whence came the fewest complaints.

Insufficient diet.

With regard to diet, the case, according to Mr. Rainals, stood thus, the contracts provided for a ration, principally of rice, flour, and peas, which should be supplied by employers at a daily charge of 10 cents. This stipulation had ceased to be observed, and in most cases coolies received all their wages in money. The planters declared that the change was made at the wish of the coolies, who found that by adopting a maize dietary they could feed themselves for less than 10 cents. a day. Mr. Rainals, besides objecting to the abandonment of the terms of the contract on the score that the payment of the whole wages in money tempted labourers to stint themselves (an objection the validity of which is borne out by experience in other colonies), contended that the change had been made because the planters had found they could not supply the stipulated ration at 10 cents, had reduced the quantity, and thus driven the emigrants into demanding a purely money wage. He alleged, moreover, that 40 cents a week, and in some cases 60 cents, was charged to Indians for a maize and salt-fish weekly dietary, which was supplied to negroes for 25 cents.

Want of medical attendance.

For the want of sufficient medical attendance and medicines, Mr. Rainals partly blamed the policy of the Colonial Government.

Overcrowding.

In respect to house room, the Consul alleged that overcrowding was habitual, and that even the sexes were mixed up in the same sleeping rooms. He admitted that when these cases occurred they were generally remedied after a time; but in no case had penalties for breach of the law been inflicted, and this seemed to be only one symptom of the general weakness of the executive.

Insufficient proportion of women.

He pointed out too that the stipulated proportion of one woman to four men had not been introduced, and that no effectual means had been taken to secure the effects of emigrants dying in the colony.

Representation to the Danish Government.

A representation was at once made by Earl Russell to the Danish Government, and the Government

Views of the Government of India.

Government of India, in asking instructions as to whether a resumption of emigration to St. Croix should be permitted, expressed a decided opinion that unless future accounts were more satisfactory, such emigration should be suspended. The gravest matters, it was well pointed out, were the indications of the general attitude both of planters and Government at St. Croix afforded by the Consul's reports. On the part of the planters there was an evident desire to take unfair advantage of the coolies being bound for five years, while no steps had been taken towards a penal enforcement of the law.

Reply of the Danish authorities.

Orders thereon.

Sir A. Paget's note drew forth from the Government of St. Croix and the Copenhagen Government an elaborate defence. Into the details of this apology it is needless for the purposes of this note to enter. It was pronounced by Sir C. Wood, and the Foreign Office concurred in the opinion that the statements of the Colonial Governor in no way invalidated those of Mr. Rainals, though, perhaps, some improvement had taken place since the date at which the latter were made. In regard to the housing of the emigrants, the reply was considered especially unsatisfactory, and it was declared that, unless effective measures were taken to provide proper lodging for coolies, no further emigration would be allowed. In point of fact, no emigration to St. Croix has since taken place. I believe that the planters are in a state of almost chronic bankruptcy

Rumours of transfer of St. Croix to United States.

In 1868 there were rumours of the proposed sale by Denmark to the United States of the West Indian colonies of the former Power, and the necessity for the protection of the interests of Indian emigrants was pressed upon the Secretary of State. The transfer was, however, never ratified, the American Senate refusing even to take the treaty into consideration. In 1868 most of the emigrants returned, viz., 182 men, 41 women, 30 children, in all 253 souls. They brought with them 12,500 dollars of savings or about 100 rupees per head; 34 re-engaged on the island, and one took service in the United States ship "Monongahela," in what capacity is not apparent.

Bombay — Mauritius

Cessation of emigration from Bombay.

In 1864 there was a large mortality from fever on board emigrant vessels from Bombay to Mauritius. The causes were investigated by Dr. Leith, who reported that the mortality was chiefly due to a fever which had been prevalent in the town of Bombay, but the evil effects of which were aggravated by long detention and overcrowding in depôt and by insufficient food. The Mauritius Government had sent a special commissioner to attend the inquiry, and he was called upon to make arrangements at Bombay such as should meet the approval of Dr. Leith. Meanwhile, emigration from that port was suspended. The Mauritius Government objected to the space (56 superficial feet per head) required by Dr. Leith as the minimum in depôt; and though the Secretary of State for India agreed with the Mauritius authorities in considering the demand excessive, emigration from Bombay has never up to the present day been resumed. Till 1864 the mortality on ships from Bombay had been small. Dr. Leith puts the number of ships for 1856–64 at 54; statistics were forthcoming for 48 of these, carrying upwards of 17,000 emigrants, and the deaths were said not to have numbered 250, or about 1·5 per cent.

Reports

First attempt to ensure regular reports from colonies importing Indian labour.

It was not till the close of 1865 that the Government of India took any action towards keeping itself informed by periodical reports of the condition of Indian labourers abroad. In November of that year, at the instigation of the Government of Bengal, the Secretary of State was requested to supply copies of the reports of the Protectors of Immigrants in the several colonies. These have been supplied, but not very regularly. The Mauritius reports are the best. The others are of a meagre sort, most of them mere dry bones. From Natal I cannot find that any report has ever been received.

The wreck of the "Eagle Speed."

On the 21st August 1865 the "Eagle Speed" was permitted by the Government of Bengal to sail from Port Canning with 487 emigrants on board, destined for Demerara. She went down the Mutlah in tow of the tug-steamer "Lady Elgin;" but before she could reach the sea ran aground and became a perfect wreck, 262 emigrants being lost. A searching inquiry was instituted, and the result reported to the Government of India. The Lieutenant Governor endeavoured to justify the grant of permission to sail from Port Canning, on the ground that the port might be considered auxiliary to that of Calcutta; but the Government of India did not approve of this departure from strict adherence to the law limiting emigration to the ports of Calcutta, Bombay, and Madras. Setting this point aside, the inquiry showed that, while the fatal results of the disaster were much aggravated by the want of presence of mind of almost all concerned when the ship once ran aground, the requisite precautions had in many respects been neglected. In the first place, the "Lady Elgin" was clearly proved not to have been a first-class steam-tug, such as the law required, and the Protector was severely rebuked for allowing her employment in this service. In the second place, the officers and crew of the "Eagle Speed" were suffering from sickness, and neither pilot nor Protector took sufficient care to ascertain their efficiency. The boats had not been properly examined, and the life-buoys were insufficient. The practical upshot of this lamentable case was that the departure of emigrant ships from the Mutlah was forbidden, the employment of none but first-class tugs stringently enjoined, and rules passed distinctly binding both Protector and agent to muster the crew and ascertain their efficiency, a medical certificate as to the health of the officers and crew being also required. The examination of the life-buoys and boats was also enjoined by a special rule.

Lessons of the disaster.

Government of India refuses to allow emigration from other ports.

In 1865 the Government of Mauritius asked to be allowed to draw labour from other ports than Madras upon the Coromandel Coast, but the Governor General in Council declined to accede to the request.

About

Light labour in depôts allowed.

About the same time the Government of Bengal proposed that coolies should be put to light labour in depôts. It was represented that such labour might be made doubly useful to the labourers, as it would keep them out of mischief, and could be directed to the better sanitation of the depôts. The Government of India at first hesitated, but at length consented, on the condition that such work was to be optional with the intending emigrants, and was to be paid for at the rate of 1½ pice per hour.

Reduction of estimated length of voyage in case of steamers.

In 1865 also a reduction was made in the estimated length of voyage in the case of steamers, a class of vessel then beginning to come into use in the Mauritius emigration. For regular steamers the voyage from Calcutta to Mauritius was fixed at 30 or 35 days, according to the season, and for vessels of the "auxiliary screw" class at 45 or 60 days.

A terrible epidemic broke out on board the vessels of the West Indian emigration of the season 1864–65. The figures in the margin will show how terrible it was. A most elaborate investigation was carried out by the Sanitary Commission, and a somewhat warm discussion followed as to the origin of the disease. The Sanitary Commission maintained that the germs of it had been carried on board, and that it was in fact the typhoid gaol fever of India; the emigration officers, on the other hand, maintained that it was generated mainly by overcrowding on board ship. No very satisfactory conclusion on this point was arrived at, and we are more concerned with the practical changes which were brought about by the discussion. Certain proposals for a purer supply of water, for the provision of a diet scale suited to the habits of flour-eating emigrants, for the disinfection of clothing, for preventing emigrants sleeping under platforms, and for keeping the emigrants on deck as much as possible, were embodied in rules under the Act. It was made a condition of the charter-party that in case of severe sickness appearing, the ship should put into the nearest port. The proposal to curtail the emigration season was not approved, and it was thought that existing arrangements for ventilation were sufficient. The Commission advocated a 30 days' detention in depôt for purposes of observation, but the Government of India thought a fortnight sufficient. All parties agreed that the minimum of space should be increased, and this was ultimately done by Act VI., 1869. Meantime the agents under the orders of their respective Governments seem, at any rate in the case of West Indian emigration, to have adhered to the 12 feet standard, which had been apparently followed till the passing of Act XIII., 1864. On the last proposal of the Sanitary Commission there was much dispute. It was that the number of emigrants in any one ship should be limited to 300 or 350. Sir C. Beadon approved the proposal, but the Government of India, on full consideration, came to the conclusion that no case had been made out for the limitation, and it was not enforced.

Mortality on Emigrant Vessels to West Indies in season 1864-65.

Name of Vessel.	Per-centage of Deaths during Voyage and upon Landing.
"Athletæ"	22·55
"Clarence"	26·40
"Earl Russell"	21·57
"Golden South"	30·06
"Ganges"	40·04
"Fusilier"	50·03

[P]roposals of Sanitary [C]ommission and orders [t]hereon. Water, [d]ietary, &c.

[P]roposal to shorten [th]e open season.

[D]etention in depôt for [o]bservation.

[M]inimum space to be [in]creased.

[P]roposal to limit the [nu]mber in any one [sh]ip.

[A] better medical [re]cord necessary.

In 1866 the Government of Mauritius drew attention to the necessity for the more regular and stricter maintenance of the medical record on board ship, and a rule to that effect was passed by the Government of India for Calcutta.

[Re]mittance to India of [em]igrants' savings.

At first return emigrants from the West Indian colonies seem to have been compelled to deposit their savings before sailing, and to receive instead bills on London. In negotiating these the exchange told heavily against the emigrants, one shipload having to pay a discount of 6¼ per cent. In 1859 it was agreed to substitute a certificate of the amount deposited, the emigrants on arrival in India receiving the amount which they would have obtained for their savings had they brought them in specie. In 1866 the Government of Bengal proposed that the West Indian colonies should undertake to make coolies' remittances to their friends as done by the Government of Mauritius, and in the following year it was arranged that such remittances should be sent at the fixed rate of exchange of *Rs.* 2. 1. 4., equal to one dollar, or two shillings equal to one rupee. It is not altogether clear whether this rule applied to coolies bringing their savings with them on return, but I think it did. Remittances by emigrants not themselves returning have never been numerous.

[Pro]posal of the Govern[me]nt of Madras to [sus]pend emigration to [Fre]nch Guiana.

Towards the end of 1867 the Government of Madras brought to notice that the British Consul at Cayenne had reported a very excessive mortality among Indian emigrants to that colony. "Of the first emigrants sent out," his report said, "at least one-half of the unfortunate creatures died; of the second consignment, the majority have died; of the third, 200 men were landed, and the remainder sent on to Guadeloupe." At the time of writing,* there were, according to the Consul, about 500 or 600 alive. He further stated that the demand for labour in the colony was not sufficient to ensure good treatment to emigrants. This report never reached the Government of India till it was brought forward in 1867 by the Government of Madras. Meanwhile, it appears that the Foreign Office, on a representation that emigration from India to French Guiana would be discontinued, had, without consulting the Secretary of State for India, withdrawn the Consul at

* According to the papers, the Consul's letter is dated 1st May 1862; but I think this must be a mistake, as I cannot find that emigration to Cayenne began before 1864. Since this was written a statement has been received from the consular agent at Pondicherry, showing that emigration from that port took place in the years 1856, 1860, and 1861; and even this statement appears to be incomplete. If these emigrants were British subjects then the proceeding was distinctly illegal.

at Cayenne. The Government of Madras pointed out that, in fact, emigration had continued, and urged the Governor General in Council to exercise his power of suspension. The Government of India, however, pointed out that the Consul's report was of a somewhat old date (but see Note on this point), and that the French Government might terminate the whole Convention. But the Government of Pondicherry was asked to suspend emigration to Cayenne, and a representation was made to the Secretary of State of the necessity for a Consul there. This was conceded by the Foreign Office in 1871, when it was intimated that emigration to French Guiana would recommence.

Epidemic fever in Mauritius.

A fatal epidemic fever raged in Mauritius from 1866 to 1868. The first intimation of the outbreak received in India was an application from the Government of Mauritius for a supply of quinine, as "a fever of an intermittent type, but which had gradually assumed a more fatal character, especially among the population of Indian origin, had manifested itself for some time past." In June 1867, at the suggestion of the Sanitary Commissioner, the Government of Mauritius was asked for further information, and ultimately, towards the end of 1868, a voluminous report by the Commission appointed by Sir H. Barkly to inquire into the whole subject was received.

Facts disclosed by t report.

According to the report of the majority of the Commission, the cases of malarious remittent and intermittent fever in Mauritius had, till 1865, been but few, though they had since 1858 increased somewhat, as compared with their very marked infrequency before that date. A fever, however, known as "Bombay fever," had established itself in the island as early as 1838; but this was a continued enteric typhus, and, as its name implies, had been introduced by emigrants from Bombay. It seems to have had periods of outbreak from time to time, and to have raged much among Indian labourers, being highly contagious. Another form of fever, called by the Commission *spurious* Bombay fever, had been almost confined to emigrants, and is viewed as a malarial remittent due to antecedent malarial poisoning. Towards the end of 1865, however, there appeared a marked increase of malarial fever in the Black River district, whence the epidemic gradually occupied the whole littoral, and, although in a less degree, the parts of the island of moderate elevation. On the still higher levels, cases were rare and mild. During 1866 the months of severest sickness were from May to September. In October and November there was a lull. Throughout this first year the type of disease was not severe. But in the second year of invasion "the intensity of the epidemic, the numbers attacked, and severity of the cases were continuously on the increase from December 1866 to May 1867. The subsidence of the epidemic took place slowly, the cases becoming less and less numerous up to the month of October." In the third year the epidemic began to die out. The deaths from fever are given as follows:—

First appearance of epidemic.

Its gradual spread.

Mortality.

1866 - - - - - - - - - - -	4,913
1867 - - - - - - - - - - -	31,920
Half of 1868 - - - - - - - -	8,343

But these figures are admittedly not altogether trustworthy, the registration of causes of death being defective. The figures of total mortality, however, bear strong evidence of the ravages of the fever. The total number of deaths was as follows:—

1866 - - - - - -	11,735, or 32 per mille of population.
1867 - - - - - -	40,097, or 88 per mille of population.
1868 (first six months) - -	12,728, or equivalent to an estimated annual rate of 51 per mille.

Remedial efforts.

Port Louis (described as a "noisome town") suffered terribly, the mortality in April 1867 reaching to 6,224 on an estimated population of about 70,000 or 80,000. The mortality among labourers under indenture on sugar estates was very markedly less than among the rest of the Indian population. Efforts seem to have been made to open hospitals and dispensaries; but the resources of the island were insufficient to meet the calamity, and the supply of quinine fell short.

Causes.

The majority of the Commission held that the fever had been prepared by a gradual *déboisement* of the island, and the consequent diminution of rainfall and drying up of springs, reduction of rivers to a lower level, pollution of water, and deposit of alluvial matter in the marshy plains and mouths of rivers. The exciting causes were thought to be mainly the inundation of 12th February 1865 and the great drought, in a lesser degree overcrowding, bad hygiene of dwellings, insufficient scavengering, privation, and dearness of provisions. The enumeration of the predisposing and exciting causes assigned sufficiently indicates the views of the majority of the Commission as to the preventive measures to be adopted.

Dissent of Dr. Bar

One of the members of the Commission, Dr. Barraut, differed from the view above summarised, and held that the main source of the epidemic was the contagious typhus, a doctrine which found favour in the eyes of the sanitary commissioner, who sought to identify the Mauritius outbreak with the gaol fever of Upper India. It is, however, hardly necessary to enter into the details of this medical discussion. Suffice it to say that Colonel Malleson's letter was sent to Mauritius, and elicited a reply from the chief medical authority of the island, in which he still maintained the malarious nature and non-contagiousness of the outbreak of 1866–68.

retary of State ...es attention to the ...te of things in ...uritius.

The Secretary of State drew special attention to the want of attention to cleanliness drainage, and the like in Mauritius, and a Despatch was accordingly addressed to the Colonial Government quoting the remarks of the Fever Commission, and pointing out that the necessity for enforcing observance of sanitary laws had been one of the reasons put forward by the Governor in justifying the stringent measures of 1867 (of which more hereafter). It was asked what steps had been taken to introduce improved drainage, healthy dwellings, and other requisites of ordinary hygiene. In reply, Sir H. Barkly pointed out the great difficulty of "reclaiming from inborn habits of domestic uncleanliness and insanitation a class so fatalist and so entrammelled by the customs of his forefathers as the Indian of the lower class," but stated that an Act had been passed for regulating the building of tenements in Port Louis and the scattered villages of the island; that a system of sanitary taxation had been set on foot; that meanwhile the existing sanitary regulations were being more strictly enforced; that an efficient system of poor relief had been established; and that a general scheme of drainage for Port Louis was under consideration.. Since then we have heard nothing further; but the island seems to have been fairly healthy. The legislative result of this fever outbreak will be noticed further on.

...demic in Réunion.

In the course of the discussion reference was made to an epidemic of remittent fever, which was said to have broken out in Réunion in 1864, and was attributed to emigrants from Calcutta. The disease abated in 1865, but assumed fresh virulence in 1866. I have not found any report on the subject.

...eration in Réunion ...ary.

A correspondence covering part of the years 1868–70 took place with the Secretary of State about the substitution of maize for rice in the dietary of coolies in Réunion. It was ultimately arranged that it should, in case of *existing* agreements, be only allowed with the consent of the immigrant, and that the change should be expressly indicated in future agreements. The alteration had, in fact, been silently introduced in Mauritius, where 1½ lbs. of rice was held equivalent to 2 lbs. of pounded maize, 2½ lbs. of cooked manioc, or 5 lbs. of raw manioc.

...nplaints of want of ...hing and of fraud ...naistries of the ...nch emigration.

In 1869 Mr. Segrave, Consul at Réunion, drew attention to the want of clothing on board vessels sailing from Pondicherry, and the consular agents at that port and Karikal were desired to insist on the proper allowance. As the law stands, I hardly see how they have any power in the matter. Mr. Segrave also forwarded complaints by certain emigrants of having been defrauded of so-called advances by maistries. From a demi-official letter from the Protector at Madras, I fear this grievance still subsists. A strong remonstrance was addressed to the French Government by the Foreign Office.

...endments effected ...cts VI., 1869, and ..., 1870.

Acts VI., 1869, and VI., 1870, may be considered to embody the more important improvements suggested by five years' working of the Consolidated Act of 1864. The amendments introduced on the following.

...mated length of ...age from Madras to ...nies east of the ...e extended.

The estimated length of the voyage from Madras to Réunion, Mauritius, or the Seychelles during the season from November to March inclusive, is extended from five to six weeks, the former period having been in practice found insufficient.

...sular agent at a ...nch port to license ...uiters.

The Government of Madras had brought to notice that, as the law stood, British consular agents at French ports could not license recruiters, and that such licenses could only be issued by the Protector at Madras. As it appeared that this state of the law merely resulted from the application to French emigration of rules based on the supposition that emigration would only take place from the three Presidency towns, a supposition no longer true, it was determined to allow British consular agents to grant recruiters' licenses, and this measure is carried out by Act VI., 1869.

...istration fee to be ...nded if emigrant ...rts before ...arkation.

The refund of the registration fee is permitted should the emigrant desert before embarkation. Under Act XIII., 1864., the refund could only be claimed if he deserted "before reaching the depôt." The amendment seemed only reasonable.

...horises Government ...engal to permit ...rture of ships to ...t Indies, in case of ...rgency, up to end ...arch, and without ...complement of ...en.

The Government of Bengal had represented that in cases of emergency it ought to have the power of permitting emigrant ships to sail to the West Indies even after the close of the open season, and that a similar discretion ought to be given it in allowing vessels to sail without the full prescribed proportion of women. "As the law stands," the Lieutenant Governor wrote, "it comes to be a question sometimes, under exceptional circumstances, whether the Local Government should act *ultra vires* in relaxing the law, or whether a whole shipload of emigrants collected and ready to start shall be broken up and dispersed to their homes and the colony be put to great and useless expense in consequence." The Government of India agreed that the dilemma was not one which should be allowed to continue to embarrass the Local Government, and Act VI., 1869, gave the Lieutenant Governor the required discretionary power.

...ory of checks on ...rowding.

It will be convenient to insert here a consecutive narrative of the history of the checks imposed by law on the overcrowding of emigrant vessels sailing from Indian ports.

...isions on this head ...ct V. of 1837;

Act V., 1837, requires the officer granting permit to ascertain that the accommodation is sufficient whenever more than 20 emigrants are embarked on one vessel. The rule laid down at Calcutta under this law forbade the shipment of more than one emigrant for every 1½ tons burthen.

...ct XV., 1842;

Section 4 of the schedule attached to Act XV., 1842, lays down (*a*) the proportion of one person for every two tons burthen, and the further conditions

ditions (*b*) that the height between decks shall not be less than six feet, and (*c*) that the number of persons shall not exceed one person for every 12 superficial feet of unoccupied space on the lower deck. Two children under 10 years of age to count as one person. This law applied only to Mauritius. But Section 4 of the schedule attached to Act XXI., 1844, is identical. Thus, then, for Mauritius, Jamaica, Trinidad, and British Guiana, there was the same threefold rule, viz., (1) the number of passengers was not to exceed (*a*) the number representing the vessel's tonnage divided by two; (*b*) the clear space on the lower deck expressed in square feet divided by twelve; each child under 10 years counting as only half a passenger; (2) the absolute height between decks was not to be less than six feet. Section 3, Act IV., 1852, lays down a double rule,—

Of Act XXI., 1844;

Of Act IV., 1852.

(1.) That whatever may be the tonnage, no greater number shall be shipped than one emigrant labourer for every 72 cubic feet of unoccupied space between decks; and

(2.) That the height between decks shall not be less than 5½ feet.

It is perhaps open to doubt whether this rule applied only to Mauritius or to all emigration. On the one hand, the preamble * is quite general in its language, as also the section † itself at its outset. On the other hand, the reduction in height was reluctantly made on the repeated representations of the Mauritius Government, and the proviso ‡ at the end of the section refers only to Act XV., 1842, the Mauritius Act. Sir B. Peacock, however, in the discussion as to opening emigration to St. Lucia, held that the relaxation applied to all vessels, though it was not taken advantage of by those sailing to the West Indies. Section 4 of the schedule to Act XXXI., 1855, legalising emigration to St. Lucia and Grenada, is word for word the same as the corresponding section of the schedule of Act XXI., 1844. Acts XII., XXXIII., and XLI., of 1860, and Act VII., 1863, put the colonies of St. Vincent, Natal, St. Kitts, and St. Croix, respectively, in exactly the same position in this regard. As to French colonies the rule is laid down by Article 15 of the Convention, repeated verbatim in Section 15 of the Act XLVI., 1860. (1.) The cabins or between decks allotted to the emigrants shall be not less than 5½ feet high; and (2.) no compartment shall carry more than one adult emigrant for every 72 cubic feet in vessels sailing from Calcutta, and 60 cubic feet in vessels from the Madras Presidency or Bombay. Children between one and ten count as half adults. In March 1860, the Secretary of State seems to have suggested the reduction of the minimum in case of Mauritius also to 60 cubic feet on vessels from Madras and Bombay. Meantime, it had been decided, on the suggestion of the Court of Directors, to forego the tonnage rule altogether, and on 8th June 1858 Mr. (Sir B.) Peacock was requested to bring in a Bill, (1.) abolishing both the tonnage rule and the rule as to absolute height; and (2.) fixing a double minimum of (*a.*) 10 superficial, and (*b.*) 72 cubic feet. No legislative action was, however, taken till 1864. The Consolidating and Amending Act (XIII.) of that year laid down, for all other than French colonies, the following rules:—

* "Whereas it is expedient to amend the law relating to the height between decks in emigrant vessels."

† "No ship or vessel carrying emigrants." No destination is specified.

‡ "Anything in Act XV. of 1842 *** to the contrary notwithstanding."

Of Acts XXXI., 1855 and others.

Of the French Convention.

Proposal of the Secretary of State.

Suggestion of the Court of Directors.

Provisions on the point of Act XIII., 1864.

(1.) All cabins and spaces between decks allotted to emigrants to be not less than 5½ feet high.

(2.) No compartment to take more than one adult emigrant (*a.*) for every 10 superficial feet on deck, and (*b.*) for every 72 cubic feet of space. Two children between the ages of one and ten years to count as one adult. The case of French colonies continued to be regulated by the Convention. The rule as to superficial space seems to have passed in spite of remonstrances from the emigration authorities (including the emigration agents) at Calcutta and from the Government of Bengal; and, very shortly after the law was enacted, the terrible mortality of 1864-65 occurred on board the vessels of that season sailing to British Guiana, and led all parties to urge an extension of the minimum. Accordingly, Act VI., 1869, enacted that no compartment in an emigrant ship should take more than one adult emigrant for every 12 superficial feet on deck, and for every cubic space of 72 feet, or more than one child who shall have completed two and shall not have completed 10 years of age for every eight superficial feet on deck. On the point of space, Act VII., 1871, merely consolidates. The limitations, therefore, now stand thus:—

Extension of superficial minimum by Act VI 1869.

Present state of the law.

For French colonies—

(1.) 5½ feet of height.

(2.) 72 feet cubic space in Bengal.

60 feet cubic space in Madras and Bombay for each adult, an emigrant above 10 counting as an adult, and two children from one to ten counting as one adult.

For all other colonies—

(1.) 5½ feet of height.

(2.) (*a.*) 72 cubic feet for each adult, and (*b.*) 12 feet superficial space for each adult, and eight feet for each child who has completed two, but not completed 10 years; an emigrant above 10 counting as an adult, and two children from one to ten years of age counting as one adult.

Thus seemingly, to take an example, the second rule would work thus: let there be shipped 200 "emigrants above the age of 10 years," and 50 "children from one to ten years

years of age," of whom 20 have "completed two years of age." Then the minimum of cubic space will be $(200 + \frac{50}{2})\ 72 = 16{,}200$ cubic feet; while the minimum of superficies will be $200 \times 12 + 20 \times 8 + \frac{30}{2} \times 12 = 2{,}740$ square feet.

Suspension of emigration permitted in case of outbreak of infectious mortal disease in any colony.

Section 6, Act VI., 1869, empowers the Governor General in Council, or the local Government, to suspend emigration in the cases specified in Section 64, Act XIII., 1864, and also in case of "the plague or other infectious disease dangerous to life" breaking out in any place to which emigration is lawful. Any notification published under this section by a local Government may be cancelled by the Governor General in Council. This clause grew out of the Mauritius epidemic fever of 1866-68, the history of which has been briefly given already. In April 1868 the Government of Madras had reported that, by reason of continued accounts of the prevalence of the epidemic, it had forbidden emigration to the Mauritius and, though not strictly legal, the measure was under the circumstances approved. The Government of Bengal, however, did not think it necessary to suspend emigration, and the Government of Madras soon after, upon a more favourable account from Mauritius, permitted emigration to be resumed. In order to legalise in future cases such action as was adopted by the Government of Madras, the section above cited was inserted in the Act of 1869. But Section 64, Act XIII., 1864, was not repealed, though the two somewhat overlap one another.

Reasons for this measure.

Change in definition of the words "magistrate of the district."

Act VI., 1869, declares that in construing Act XIII., 1864, the words "magistrate of the district" shall include any officer exercising the full powers of a magistrate. The Calcutta Protector of Emigrants had represented that difficulty arose from the powers conferred by the Emigration Act being confined to but few magistrates. "Great inconvenience and delay," he wrote, "are frequent under the present rule. In the absence from office of the magistrate now authorised, which is not unfrequent, when in the performance of other important duties in his district, it has happened that coolies collected for emigration have left rather than await his return. It will also obviate coolies being taken long distances for registration, as under the amended provision they can be taken to the nearest magistrate."

Fees may be increased.

The fees realised under Act XIII., 1864, had been found insufficient to cover the cost to the Indian revenues of the supervising and controlling establishment. For instance, in Madras the excess had been about 50,000 rupees. Act VI., 1869, taken together with Act VI., 1870 (which merely remedied an oversight in the wording of the previous measure), permits the increase of the fees under Sections 19, 27, 31, and 34 of Act XIII., 1864, provided they be not increased by more than double the then existing amount. In point of fact, they were only raised 50 per cent. A suggestion that the consular agents at Pondicherry and Karikal should be dispensed with, which was mixed up with this question, was not approved.

Customs officers and pilots relieved of special duties.

The muster by the Customs officer and pilot in the Hooghly was done away with. It was explained by the Government of Bengal that the provisions on this head were relics of old laws, and intended to prevent coolies being clandestinely shipped while the vessel was going down the river; but that they were quite unnecessary in the present state of things, under which emigrants were embarked and disembarked in the presence of a Government officer. Besides, emigrant vessels were now bound to take steam down the Hooghly, and it would be easy for the pilot, without any special muster, to detect any attempt at taking extra emigrants on board. Accordingly Sections 55-57 and 80 of Act XIII., 1864, were repealed as embodying precautions no longer necessary.

ortality in Guiana ships

Mortality on certain ships sailing for British Guiana in the season 1869-70.

A heavy mortality occurred on board certain ships of the season 1869-70, sailing to Demerara. The following Table will show the details:—

VESSEL.	Number Embarked and Born on Voyage.	Proportion of Women.	Deaths.	Per-centage of Deaths.	Length of Voyage in Days.
India	398	45·55	24	6·03	112
Arima	323	62·31	9	2·78	82
St. Kilda	401	58·56	13	3·24	94
Devonshire	322	52·13	20	6·21	90
Sophia Joakim	424	- -	33	7·78	118
Shand	462	- -	98	21·21	123
TOTAL	2,330	- -	197	8·45	—

How accounted for by Demerara Emigration Department.

Mr. Crosby, the Demerara Agent General of Immigration, sought to make out a general case against the employment of native surgeons; but the attempt rather recoiled upon himself, as it became clear that he had neglected to take that action against masters and owners which the representations of the ships' surgeons should have suggested. The case of one vessel, the "Shand," was, however, distinct. The terrible mortality on this ship

Case of the "Shand."

Causes of mortality assigned by Colonial Commission of Inquiry.

ship led the Colonial Government to institute a special commission of inquiry. The commission attributed the mortality to the following causes:—

(1.) The length of the voyage.

(2.) The debilitated condition of many of the coolies at the time of embarkation.

(3.) Deficiency of animal food and fresh vegetables.

(4.) The damp condition of the between decks, due to the vessel having carried salt cargoes.

Opinion of the Sanitary Commissioner.

The Sanitary Commissioner with the Government of India, in reviewing the case, pointed out that the first cause assigned would not explain the case, as the number of deaths (68) which had occurred within the average period of the voyage was in itself very exceptionally large. The proof of the existence of the second cause rested on the allegation of the surgeon Adhar Chandra Das, an allegation the truth of which was emphatically denied by Drs. Partridge and Grant, and this was struck out of the list of exciting causes by Dr. Cuningham. Steps had already been taken to substitute mutton for fish in the dietary, but the Sanitary Commissioner found it difficult to believe that the old dietary could have caused such mortality, as Indians had thriven upon it for years of most successful voyages. Similarly the "salting" of the ship could hardly in itself have caused the high death rate, especially as Mr. Walcott testified to the fact that in the Australian emigration little difference was found between salted and non-salted ships. Dr. Cuningham admitted that with the very meagre medical records both of the "Shand" and the "Sophia Joakim," he was unable satisfactorily to account for the mortality. But he strongly condemned the surgeon of the "Shand" for incompetence and neglect, and thought that emigrants embarking during the rainy season of 1869, one of unusual sickness throughout great part of India, had probably suffered from unhealthy influences before starting.

Views of the Government of India.

The Government of India, in reporting the case to the Secretary of State, adopted generally Dr. Cuningham's views. The Governor General in Council thought that no case had been made out against the doctors of the "Arima" and "India," but that, on the contrary, "the real remedy for most of the evils complained of lay in a rigid enforcement in the colony of the conditions and terms of the charter party, and that the interests of the Emigration Department would be better secured by a strict application of the conditions of the charter party against the commander, than by a too ready acceptance of charges brought with reference to the surgeon superintendent by masters and crews, against whom it is one of the most difficult and delicate duties of the surgeon superintendent to protect the emigrants." A hope was expressed that benefit would result from the improved dietary, and from the rule prescribing that the water supply should be drawn from the Calcutta municipal hydrants.

Question of limiting the number of children.

The "Shand" had carried a large proportion of children, and the Government of Bengal suggested that the number might in future be limited to 15 per cent. on the adults embarked on any ship. But on further consideration it was found that it would be impossible to place such a restriction upon the number of children carried, while the proportion of women remained fixed at 40 to every 100 men. Act VII. of 1871, however, adds to the previously existing law a clause empowering the Governor General in Council to prescribe a limit for the number of children.

Proportion of Women

Further history of the question of the proportion of women.

It has been already noticed that the proportion of women was lowered to 25 to every 100 men, in order that the British colonies might not be placed at a disadvantage as compared with French settlements. In July 1865 the Government of Madras re-opened the whole question. The Government of India, after studying the Convention, referred the following questions to the Secretary of State:—

1st. Was a strict adherence to Article 16 of the Convention to be enforced for all shipments of British subjects, whether from French or British ports?

2nd. From what dates were the terms fixed in that article to count?

Question referred to Secretary of State.

The answer to the first question was in the affirmative. In reply to the second, it was said that in regard to Réunion these terms were to reckon from the date of the passing of Act XLVI., 1860, and in regard to the other colonies from 1st July 1862. The Governments of Bengal and Madras were consulted, and the case was put to the Secretary of State under date 31st March 1866, in the following terms:—

"By Article 16 of the French Convention embodied in Act XLVI., 1860, the proportion of women is one-fourth for the first three years, one-third till the end of the fifth year, one-half till the end of the seventh year, and after that the proportion shall be the same as may be fixed for the British colonies.

"These periods are to be reckoned in the case of the Island of Réunion from the date of the passing of the Act, viz., 6th October 1860, and in the case of the other colonies from 1st July 1862.

"Under the strict operation of these rules the proportion of women to be despatched

now and from 1st July 1867, respectively, to the French colonies ought to be as follows:—

Date.	To Réunion.	To other Colonies.
Now - - - - - - - - -	One-half - - -	One-third.
1st July 1867 - - - - - - - -	One-half - - -	One-half.

"The proposals submitted are to the following effect:—The Protector of Emigrants at Madras suggests (the Government of Fort St. George concurring), that a fixed proportion of 35 per-centage of female to male emigrants should be enforced, and the present increasing proportion abolished. The Lieutenant Governor of Bengal and the medical inspector of emigrants at Calcutta, on the other hand, are not prepared to advocate any increase in the present minimum of 25 per cent., while the Protector of Emigrants considers that the proportion of females for all the colonies should be fixed at the minimum standard of 25 per cent., with a discretionary power to the Protector to vary that standard."

Proportion fixed at 50 women to every 100 men.

Difficulties in the way of maintaining this proportion.

On the advice of the Emigration Board, the proportion was fixed at 50 women to every 100 men; but it was not till January 1868 that this was formally notified as a rule under the Act, and almost immediately afterwards the Government of Bengal remonstrated, saying that the rule would not work, involving both the recruitment of a low class of women and dangerous detention in depôt. The Government of India allowed the Lieutenant Governor to relax the rule so far as to allow 33⅓ women to every 100 men to be the minimum proportion, and reported the case to the Secretary of State.

Lowered to 40.

The decision of the Colonial Office was that 40 women to 100 men should be the standard. This was communicated to the Government of India in Sir Stafford Northcote's Despatch, No. 128, dated 30th July 1868, and, notwithstanding some protests from Bengal and Madras, has remained the rule ever since. It was at first passed for a year, the Governments of Bengal and Madras being asked to report on its working at the end of that period. The Bengal report was unfavourable, but not that from Madras. The Government of India saw no reason to reduce the proportion, and the same reply was made to a subsequent letter from the Government of Bengal, the Secretary of State approving the course taken. Local governments are now authorised to permit single ships in cases of emergency to sail with less than the full complement of women, and the Colonial Office directed that, if in any season women were deficient, the deficiency should be made good in the first ships of the ensuing season.

Slight relaxations.

Proposal to resume emigration to Grenada.

Previous history of emigration to that colony.

Proceedings of 1866.

In April 1870, a proposal to resume emigration to Grenada was laid before the Government of India. It will, therefore, be necessary to go back and inquire under what circumstances emigration to that colony had ceased. "Previous to 1866," to quote a narrative by the Emigration Board, "there had been introduced into Grenada 2,041 immigrants, and no complaint had arisen as to their treatment. The people worked well, and although there was on one occasion a large mortality among some who had recently arrived, there was no reason to suppose that this had arisen from want of care or kindness on the part of employers. A change, however, took place in 1866. In the spring of that year a body of 260 immigrants was received by the "Countess of Ripon," and was allotted to various estates. In the following July it came to the knowledge of the local government that a great mortality had occurred among those allotted to a particular estate, and upon inquiry it appeared that they had been very much neglected by their employers, and that no proper hospital or adequate medical attendance had been provided for them. The Earl of Carnarvon in consequence directed their removal; but it was found very difficult to carry this instruction into effect, as the owners of other estates combined to refuse them. It at last became necessary to employ them on the public roads. In reporting these circumstances, the Governor of the Windward Islands, who had proceeded to Grenada to inquire into the case, added that there was a great difficulty in finding employment for immigrants generally in Grenada, owing to the poverty of the planters, and that it would probably be necessary to support some of them out of the immigration fund. It was also stated that in order to defeat the claim of the immigrants to a free return passage, the planters refused to re-indenture them, which, under the law in force, was a necessary condition. Eventually, the Governor removed some of the immigrants whom the planters refused to employ to British Guiana; a step which, though somewhat beyond the law, had a good effect in alarming the planters as to the results of their proceedings." These facts were not at the time, as far as I can find, communicated to the India Office. The reports for the first half of 1867 were, however, so communicated early in 1868. Though showing an improvement in the health of the immigrants, they were far from satisfactory as to the attitude of the Grenada planters towards their employés, and Sir Stafford Northcote

History of 1867.

Northcote proposed that emigration should not be resumed without the consent of the Indian Government. Accordingly, when in 1870 it was proposed to resume emigration, the Ordinance passed in order to put things on a better footing in the island was submitted to the Government of India. Its provisions are thus described by Sir C. Murdoch.

Proposal to resume emigration, 1870.

"The Act is in substance a re-enactment, almost verbatim, of the Grenada Immigration Act of 1863, and part of the Act of 1856, with the addition of clauses taken from the British Guiana Ordinance of 1864. The important alterations are that the salary of the immigration agent is raised from 250 *l.* to 280 *l.* a year, with an allowance of 50 *l.* a year for expenses; that the employer is required to secure to the immigrants the benefit of the house and the hospital accommodation which the Act requires him to provide; that a return passage at the expense of the colony is secured to every immigrant who has completed an industrial residence of five, and actual residence of 10 years, and that the Government is authorised to transfer to another colony any immigrant who, from the refusal of the planters or any other cause, may be unable to obtain employment in Grenada." The only objection raised by Sir C. Murdoch was to a clause limiting detention in depôt in India to 15 days. But with reference to the previous history of the colony as above described, he suggested that a report should be called for, before resuming operations, as to whether 'if emigrants were sent to Grenada, there was a reasonable certainty that they would find employment at fair wages and that their labour would be valued by the planters.'

Opinions of local governments aske

The opinions of the Governments of Bengal, Madras, and Bombay were asked. A meagre report for the year 1869 was subsequently forwarded. It showed that there were on the island, at the end of that year, 902 adult male immigrants, 358 adult female immigrants, 178 boys, 183 girls, and 89 infants; or a total of 1,710 souls. The deaths had been 42 in number, or 23·8 per mille; there were 130 men, 49 women, seven boys, and one girl, whose terms of indenture had expired, and who had been re-engaged. A Despatch was afterwards received enclosing a report from the Governor of the Windward Islands, giving a favourable account of the state of the things in Grenada, both as to the condition of the coolies and as to the desire of the planters for labour. The Governments of Madras and Bengal expressed their concurrence in the proposal to renew emigration, and accordingly a notification was issued permitting operations to commence. I cannot find, however, that they had ever been formally suspended by the Government of India, their cessation having rather been due to the absence of any demand for labour and the action of the Colonial Office in the case. The notification was, therefore, perhaps unnecessary. Earl Kimberley directed the Governor of the Windward Islands to watch carefully the operation of the new Act in Grenada.

Notification issue

New dietary at Calcutta.

In 1869 the Trinidad medical authorities called attention to the dietary, both in depôt and on board ship. Careful inquiry was instituted at Calcutta, and improved scales were sanctioned. A revised scale of medicines and medical comforts and appliances was also sanctioned. For West India colonies the dietary in depôt was as follows:—

		oz.			oz.
For rice eaters	Rice	20·	For flour eaters	Flour	16·
	Dâl	6·		Dâl	4·
	Ghi	1·		Ghi	1·6
	Mustard oil	·5		Mustard Oil	·5
	Vegetables	4·		Vegetables	4·
	Fresh fish or flesh	3·		Fresh fish or flesh	3·
	Salt	·5		Salt	·5
	Curry-stuff, &c.	·5		Curry-stuff, &c.	·5
		35·5			30

The dietary for the voyage was as follows:—

Scale of provisions for ships carrying Indian emigrants from Calcutta to British and Foreign colonies west of the Cape of Good Hope;

The length of the voyage is 20 weeks. Water, salt, and tobacco are to be provided for the entire voyage; ordinary provisions that require cooking for 18 weeks.* Dry provisions for bad weather, when cooking is impossible, for two weeks.

* I doubt the legality of this curtailment.

Ordinary Provisions.

Daily Allowance to each Statute Adult.—Children 2–10 to receive half rations.

Class.	Articles.		Remarks.
		oz.	
Grain	Rice	20	
	Or flour	16.	
	Dâl for rice-eaters	6	Arhar dâl = one-half; Gram „ = one-fourth; Kalâi „ = one-eighth; Mung „ = one-eighth; of total quantity.
	Dâl for flour-eaters	4	
Oils	Ghi for rice-eaters	1	Half an ounce extra allowance of ghi to each adult for every day that dried fish is supplied.
	Ghi for flour-eaters	1·5	
	Mustard oil	·5	
Meats, &c.	Preserved mutton	2·5	In lieu of preserved mutton there should be supplied, at scale rate, dried fish for two or three weeks; fresh mutton (sheep) for one week.
Vegetables	Pumpkins or yams	1	Instead of fresh potatoes, a sufficient quantity of preserved potatoes to allow 2 oz. twice a week to each adult, or about five weeks' supply to scale.
	Potatoes	2	
	Onions	2	
		drachm.	
Curry-stuff, &c.	Garlic	½	
	Mustard-seed	½	
	Chillies	½	
	Black pepper	1½	
	Coriander-seed	2	
	Turmeric	4	
	Tamarand	8	
Miscellaneous	Salt	8	
	Tobacco, prepared	7	
	„ leaf	3	
	Firewood	2 pounds, or in lieu of firewood, its equivalent in coal for half the quantity.	
	Water	1 gallon.	

Dry Provisions.

Total Quantity to each Statute Adult for remaining two weeks, to be issued at discretion of Surgeon, quantity being really sufficient for about 18 days.

Articles.			Remarks.
Best coarse biscuit	36·	lbs.	
Chúrá	4·5	„	Is usually eaten with salt.
Gram	3·5	„	Used with biscuit and chúrá.
Sugar	2·5	„	
To every hundred adults.			

Five sheep, averaging in weight 60 lbs. each:—As one sheep weighing 60 lbs. yields about 25 lbs. of available flesh, this number is equal to about one week's supply of fresh mutton at scale rate, viz., 2·5 oz. per day.

$$\frac{2\cdot5 + 100 \times 7 \text{ ounces} = 1{,}750 \text{ oz.}}{5 \times 25 \text{ lbs.}} = \frac{109\frac{3}{8} \text{ lbs.}}{125 \text{ lbs.}}$$

"The principal difference between the proposed and existing scale of diet consists in the substitution of preserved or fresh mutton for dried fish in both the rice and flour dietary scales, a reduction in the quantity of salt, and a slight increase in the allowance of dâl in the rice diet, and of flour and ghi in the flour diet." These alterations were meant to make up the deficiency in carbon and nitrogen in the existing scales. The total additional cost was estimated at 1*l.* per head of adults.

In 1870 a rule was passed for Calcutta making water from municipal hydrants compulsory.

tion to razil

In December 1870 a Despatch was received forwarding copy of an Ordinance passed in Brazil, by which the Brazilian Government conceded to a single company the sole right to import Asiatic labourers. The Emigration Board, however, thought that India was not contemplated as a source of supply, and the Secretary of State directed that no steps should be taken towards permitting emigration thence to Brazil.

In

 Act VII, 1871

In 1871 an Act was passed to consolidate the five Acts* in which the law on the subject was then contained. The Act, however, also introduces some substantive alterations of the law, which I will proceed briefly to notice.

Act VII., 1871. Mainly consolidatory. But contains some changes.

(*a.*) Act VI., 1869, relaxed the previous law so far as to allow any magistrate, with full powers, to exercise the functions assigned by Act XIII., 1864, to the magistrate of the district. Act VII., 1871 (section 3), again imposes a more stringent condition, defining the word "magistrate" as one exercising full powers, "*and* in charge of a district, a division, or a sub-division." I have not found the reason for this change. The Act generally abandons the phrase "magistrate of the district" for the word "magistrate" as above defined, but by an oversight retains the former in Section 85, which empowers the local Government to authorise any person, invested with the powers of a magistrate, to perform the duties assigned to the *magistrate of the district*. This somewhat minute blot was noticed by the Government of Bombay before the Bill became law.

(*b.*) Act VI., 1869, allowed augmentation of the then existing fees (which stood at their maxima) up to three times their value. As a matter of fact, they were increased 50 per cent. The new Act embodies the increased fees, and allows them again to be tripled. Thus, unintentionally perhaps, the maximum is raised 50 per cent. To take an example:—Under Act XIII., 1864, the highest fee chargeable for registration of an emigrant was one rupee. Acts VI., 1869, and VI., 1870, enabled Government to increase this, but not beyond rupees 3. As a matter of fact, it was raised to rupees 1-8; under Act VII., 1871, therefore, it may be raised to rupees 4-8.

(*c.*) The storage of water in casks is disallowed. This had been proposed by the Government of Bengal, even before the passing of Act XIII., 1864.

(*d.*) The lawful season of emigration to the West Indies is restricted, being made to end on the last day of February instead of the 15th March. The change was introduced at the suggestion of the Government of Bengal, which dreaded cholera in depôt. It has been since pointed out by the French authorities that this violated the convention, and it has been agreed that the French shall take a fortnight at the other end of season instead.

(*e*). The power given to the Government of Bengal by Act VI., 1869, to permit vessels to sail in cases of emergency, even though the conditions as to time of sailing and proportion of women were not fulfilled, is extended to the local Governments of Madras and Bombay.

(*f.*) At the suggestion of the Government of Bengal, a clause is inserted permitting the husband, wife, father, brother, or child of any emigrant declared unfit for the voyage, also to refuse to embark.

(*g.*) The same authority suggested Clause 4 of Section 49, Act VII., 1871, which requires the medical inspector to be personally present at embarkation, and to test each emigrant's fitness for the voyage.

(*h.*) The Governor General in Council is empowered to regulate "the proportion of children to be taken with adults." This addition was made at the suggestion of the Government of Bengal, which desired to limit the number of children to 15 per cent. The same Government, however, afterwards declared it impossible to enforce such a limit so long as the proportion of women stood at 40 to every 100 men.

(*i.*) The local Government is empowered to fix the estimated length of voyage for vessels propelled wholly or in part by steam. It had been found necessary to do this in the case of Mauritius.

(*j.*) The French convention is embodied in the Act as a schedule; but the section of Act XIII, 1864, extending to emigration to French colonies certain specific parts of the law, is not repeated in Act VII., 1871. I am not sure that the change is conducive to clearness. It has been noticed above that the result was a conflict as to time of sailing to West Indian colonies, and a similar conflict exists as to space on board vessels sailing from Madras or Bombay. The whole position of French emigration, especially from French ports in India, is somewhat obscure.

It is, perhaps, a pity that the opportunity was not taken to expunge from Section 47 the inconsistency (already noticed in connection with Act XIII., 1864,) which makes the Protector examine the emigrant as to his fitness for labour, yet gives no power to stop his embarkation should he be found unfit. The Sections 57-61, on the power of suspension, might also have been simplified with advantage (see remarks on Act VI., 1869).

Soon after the passing of Act VII., 1871, the conduct of business connected with emigration was made over to the Department of Agriculture, Revenue, and Commerce. There have been several trains of interesting correspondence, and I may conclude this portion of the note by giving a brief account of their purport.

History of emigration since the passing of Act VI 1871.

Early

* Act XLVI., 1860; Act VII., 1862; Act XIII., 1864; Act VI., 1869; Act VI., 1870.

Proposal to renew emigration from Bombay to Mauritius.

Early in 1871 the Government of Mauritius urged the Government of Bombay to permit the resumption of emigration from the Western Presidency. The local Government, however, was opposed to the project, alleging that Bombay wanted all the labour it had. It was pointed out that this was not a sufficient ground for refusing to permit emigration. The Government of Bombay then shifted its ground, and alleged that a proper depôt had not been provided. We have already seen that there was a difference of opinion as to the minimum space necessary in depôt. However, the matter was ultimately left to the Government of Bombay.

Discrepancy between the text of Act VII., 1871, and the French convention.

I noticed above that Act VII., 1871, made the emigration season for colonies west of the Cape to close on the last day of February. The French authorities represented that, by the convention, vessels for the French colonies might sail up to the 15th March, and proposed that, as a compromise, the season might be extended a fortnight at the other end. The Governments of Madras and Bengal, and the sanitary commissioner with the Government of India, were consulted. The first was ready to accept the proposal; the other two authorities were opposed to the extension of the open season into July. It was remarked that there were objections, of nearly equal weight, to the extension of the season in either direction. But, on the whole, considering that emigration to French colonies had been for seven years carried on exclusively from the Southern Presidency, and was not likely to be resumed from Calcutta, and that the Madras Government, which was most nearly concerned, was ready to accept the compromise, it was recommended that the proposal would be adopted. The recent wreck of the "Souvenance," which had been allowed to sail near the end of March, and fell in with bad weather off the Cape, emphasized this decision. The French Government has now accepted the compromise, and the convention has been modified accordingly.

NATAL

Treatment of labourers in Natal.

In March 1870, the Secretary of State had forwarded copy of an Ordinance for Natal, which, though chiefly consolidatory, did introduce some new provisions. For instance, the penalties for absence and desertion were modified, but apparently in the direction of leniency. Hospitals and medicines were also to be supplied, whenever the number of immigrants on an estate exceeded 20. On the other hand, the sum payable to coolies waiting for back passage was reduced from 25*s.* to 10*s.* per mensem. No remarks were at the time made, the Ordinance being simply forwarded to the local Governments concerned for information. Otherwise, the history of Indian emigrants to Natal was a blank, till, in 1871, the labourers began to return. The very first ship-load of returning emigrants were loud in their complaints of ill-treatment in the colony, and their representations were forwarded to the Secretary of State. An inquiry was instituted in the colony, and the result reported in a Despatch, by the Lieutenant-Governor of Natal. The state of things disclosed was not at all creditable. It was shown that some employers had ill-treated their labourers, and that, too, almost with impunity; that the most disproportionate stoppages were made in case of the labourer's sickness; that wages were habitually left in arrear and, in many cases, were never paid at all; that the express stipulation as to the allowance to time-expired labourers, while waiting for a return passage, had been violated; that the inspection of estates had been neglected, and that the rules as to hospital accommodation had been allowed to remain a dead letter. A strong Despatch was written to the Secretary of State, and the Government of Madras was directed not to permit the resumption of emigration to Natal without consulting the Government of India. Earl Kimberley has called for further report on the Indians in that colony, but hitherto (25th January 1873) nothing more has been heard.*

newhat cavalier

Back passages for ships' sweepers or "topazes."

In October 1871, the Secretary of State drew attention to the fact that no sufficient provision was made for the repatriation of the sweepers (or "topazes" as they are called) of emigrant ships sailing to the West Indies, and that consequently these men were often left destitute. The cases complained of had occurred on ships sailing from Calcutta, and the Lieutenant Governor gave very stringent orders for the provision of a back passage in all cases where the topazes were not "emigrants" under the law.

Measurement of ships.

In 1871 a discussion, which had been going on for some years, as to the mode of measuring the deck superficies of emigrant ships, was brought to an end, and the adoption at all ports of "Sterling's rule" prescribed. The rule gives a very close approximation to mathematical accuracy.

Proposal to allow emigration to Cuba.

Cuba

In November 1871, a Despatch was received from the Secretary of State submitting, for opinion, a draft Despatch which the Foreign Office desired to issue to the Minister at Madrid, and in which it was proposed to hold out to the Spanish Government the prospect of obtaining a supply of labour from India in case it should be decided to abolish slavery in the island of Cuba. The Government of India protested very strongly against any such pledge being given, on the ground that no sufficient guarantee could be afforded for the proper protection of the emigrant. The Despatch expressing the views of Government concluded thus:—"Under these circumstances, we feel that the greatest caution is necessary in extending the field of emigration, even among British colonies, and we should deprecate, at present, the conclusion of conventions with any other foreign powers than those

* A Commission of Inquiry has since been appointed, and an abstract of its report will be found in Part III., under the head "Natal."

Refusing to allot any salary to the post

those to which we are already engaged. But, considering how deeply Cuba is imbued with slave-holding and even slave-dealing traditions, and having regard to the political situation, both of the island itself and of its mother country, it would be the last colony to which we should wish to see emigration extended."

Use of Suez Canal route by steamers carrying emigrants to West Indies.

In 1872 the Governor of Pondicherry put the question whether, if steamers should be employed in emigration to the West Indies, they would be allowed to follow the Suez Canal route. The Governments of Madras and Bengal were consulted, and both were adverse to the proposal. The papers were referred to the Secretary of State, with an opinion that emigration by the Suez Canal should not be permitted till its probable effect on the health of the emigrants was more fully considered. The Governor of Pondicherry was answered in the same sense. Subsequent inquiry has shown that the Suez Canal fees are so heavy as to make it very unlikely that this route will be followed by emigrant vessels.

New Caledonia

Complaints from Réunion. Re-emigration to New Caledonia.

The reports from Réunion have never been altogether satisfactory. But in 1869 Consul Segrave began to formulate a series of complaints against the French authorities, based on alleged breaches of the convention. For instance, in June 1869, he reported that 156 time-expired Indian emigrants had been re-enlisted for service in New Caledonia, and had sailed for that colony. Again, in December of the same year, the departure of 176 more emigrants was reported, and under date 24th June 1870 a Despatch was addressed to the Secretary of State, urging that the question of the continuance of this re-emigration should be settled at once, and expressing a decided opinion that "no arrangements would be satisfactory which did not afford to Indian coolies in New Caledonia all the protection which it is found necessary to give them in other British and foreign colonies." The Secretary of State, on the other hand, took the view that it seemed reasonable "that coolies who of their own accord choose to leave one French colony for another should no longer be the objects of that special protection which is accorded under the treaty to those who are embarked from India. All that would appear to be necessary," his Grace's Despatch continued, "is first, that precaution should be taken against their being induced to leave the first colony through fraud or misrepresentation; next that, on their arrival in the second colony, they should receive the general protection to which English subjects in a foreign colony are entitled, and with fair regard to their comparatively helpless position. These objects," his Grace did not doubt, "would be obtained by the recent appointment of a Vice Consul, as far as New Caledonia was concerned." The same view was expressed with regard to a proposal to recruit time-expired Réunion coolies for Queensland. But only 10 Indian emigrants seem to have transferred their services from Réunion to Queensland, and they were said to be earning 6 *s.* a week, in addition to board and lodging, to be well cared for and quite satisfied with their present position.

In acknowledging the despatch announcing these facts the occasion was taken to call attention to the case of New Caledonia.

Repatriation of Calcutta coolies.

Another grievance urged by the Consul at Réunion was that coolies recruited in the Bengal Presidency, and shipped from Calcutta were, on their coming to claim a return passage, sent to Pondicherry or Madras, and left to find their way thence to their homes. The French authorities did not attempt to deny that they were theoretically liable to re-convey the emigrant to his port of departure, but it was always made to appear that the Bengal coolies returning to Pondicherry, did so at their own desire, in preference to waiting for a vessel direct from St. Denis to Calcutta. Thus the French colonists eluded payment of the passage from Pondicherry to Calcutta, and in point of fact, direct communication between the latter port and Réunion is not frequent. A proposal that Calcutta time-expired emigrants should be sent back *viâ* Mauritius, whence there was frequent communication with Bengal, was rejected by the French Colonial Government, nominally on the ground that it would be impossible to predict the length of their stay in Mauritius, but really because it was found that it would lead to a system of inducing time-expired emigrants to transfer their labour from the French to the English colony, instead of re-engaging in the former, a scheme of which the Réunion planters manifested a marked, and perhaps not altogether unreasonable suspicion.

Grievances in the colony.

But the most serious of Consul Segrave's complaints related to the treatment of Indian emigrants in the colony. At first he dwelt especially upon the great arrears of wages, and the non-delivery to the emigrants of their "livrets" or books of identification. The subject was afterwards somewhat complicated by a doubt as to the full nature and effect of the livret, which it seemed needed to be backed under certain circumstances by passports or passes to enable the cooly to have access to the British Consul. In his report for 1869 Consul Segrave drew a gloomy picture indeed. Wages years in arrear; more than one-third of the Indian labouring class constantly in prison; 75 per cent. of the criminal class taken from the immigrant population, and the cooly practically debarred access to the Consul, such were the most salient features of his sketch. The case was forcibly put before the Secretary of State, and it was observed that, unless immediate measures were taken to prove the statements of the British Consul incorrect, or to show that complete arrangements had been made to remedy the evils which he alleged to exist, it would be incumbent on the Government of India to stop emigration to Réunion. This was in June 1870, and soon after the breaking out of the Franco-Prussian war naturally suspended correspondence on the subject. Meanwhile further reports came in from Consul Segrave, some more favourable, others more gloomy; none of them very definite I must admit; and inquiries had, at the suggestion of the Secretary of State, been made from such

only reply was a despatch dated 20.12 1871 announcing the appointment of a British Consular Agent there

such return emigrants as could be got hold of. Their statements, it must be confessed, did not bear out Mr. Segrave's allegations, but the latter's report for 1871 brought matters again to a head; and in a Despatch, dated 10th May 1872, the case was thus distinctly placed before the Secretary of State:—

"Your Grace will observe that Mr. Segrave's report alleges that the evils which he has brought to notice on previous occasions continue unabated, and that Indian labourers are stinted in their food, compelled to work for an excessive length of time, kept out of their wages, ill-treated, and 'robbed' with impunity.

"We are bound to say that the result of the confidential inquiries which we caused to be instituted by the examination of returned emigrants does not at all bear out Mr. Segrave's statements. But in the face of the persistent allegations of the British Consul on the spot, allegations the *bonâ fides* of which there seems no reason to doubt, we think it only our duty to urge the absolute necessity for a thorough inquiry to elicit the true facts as to the condition of Indian labourers in the Island of Réunion." The mode of inquiry was of course left to be decided by Her Majesty's Government, though it was suggested that an inquiry by the Mauritius Committee then sitting, with the addition of a French element, would afford a satisfactory solution of the question. Since then nothing has been heard.

URINAM

Proposal for emigration to Surinam.

It seems that negotiations for the conclusion of a convention with Holland permitting the recruitment of Indian labourers for employment in Dutch Guiana were set on foot so long ago as 1862. They were, however, then broken off, partly because the Dutch Government offered a draft containing stipulations which could not be accepted, partly because a convention was not thought essential. The subject then dropped. But when the apprenticeship period of the Surinam Negro slaves (emancipated in July 1863) drew towards an end, the Netherlands Government again began to look to India; and early in 1868 Sir Stafford Northcote, at the instance of Lord Stanley (now Lord Derby), referred the question for the consideration of the Government of India. The Governments of Madras, Bombay, and Bengal were consulted. Lord Stanley asked for an expression of opinion on three points, viz., (1), whether it was desirable to proceed in the matter at all; (2), if so, whether a convention was the proper mode of proceeding; and (3), should the 1st and 2nd questions be answered in the affirmative, whether the conditions contained in the convention with France would meet the case. The Governments of Bengal and Madras did not oppose the scheme; the former, however, pointed out that it would be well to insist on the same space on board ship, and the same proportion of women as were required in the case of emigration to British colonies. The Government of Bombay proposed at the outset to answer the first question in the negative, on the ground that in the existing state of the labour market it was not desirable to let labour go out of the country. On a review of their opinions, answer was made to the Secretary of State, to the effect that there was no objection to the negotiation of a convention, but that care should be taken that the regulations should be made to accord with the law relating to emigration to British colonies, as then about to be amended, all powers given by the general emigration law being reserved to the Indian Government, and no privileges conferred on the Dutch Government not given to British colonies. Nothing more was heard on the subject till April 1872, when the Secretary of State forwarded copy of a convention with the Netherlands, to come into effect from 17th of that month. The convention followed the French convention, with the modifications pointed out by the Government of Bengal as required in regard to space on board ship and proportion of women. But meantime the necessity for some stricter watch upon the treatment of Indian labourers abroad had been unpleasantly emphasized by the case of British Guiana and others, and the Government of India was compelled to point out that before emigration to Surinam could be permitted to begin, a notification must be published containing a declaration to the effect that the Governor General in Council had been duly certified that the necessary guarantees had been provided for the protection of the emigrants. As in the case of Nevis, therefore, the Secretary of State was requested to furnish full particulars on all points, which might enable the Government of India to form an estimate of the probable condition of labourers emigrating to Dutch Guiana. The character of the laws, the executive charged with their administration, the rates of wages and the cost of food were specially dwelt upon. In reply, a compendium of the Surinam regulations was forwarded, but it afforded no adequate information on points of the first importance, notably the rate of wages guaranteed. The Netherlands Government, through its agent at Calcutta, has now agreed to accept the main provisions of the draft Ordinance proposed for British Guiana, and under this guarantee the necessary notification legalising emigration to Surinam has been published.

(Margin notes: 1868. — 1872.)

Nevis – negatived

Application from the Island of Nevis for permission to import labour from India.

Early in 1872 an application was received from the Colonial Office for permission to recruit labourers for the Island of Nevis, a little dependency of St. Kitts. The Government of India took its stand on Section 24, Act VII., 1871, and declined to issue the notification till assured that the necessary guarantees for the due care of emigrants had actually been given. It was in this case particularly pointed out that the wages offered in Nevis were markedly lower than those obtainable in other West Indian Colonies, and that it could not be expected that labourers really cognizant of the facts would consent to enlist for service on terms distinctly worse than they could get by emigrating to British Guiana or Trinidad. The action of the Lieutenant Governor of Bengal in forbidding recruitment

Disparity of wages pointed out.

Analogous case of St. Vincent.

recruitment for St. Vincent, where the wages offered were much below the minimum of the larger West Indian Colonies, was, on the same principle, supported by the Government of India.

MALAYA

Emigration to Straits Settlements. Old date of this emigration.

It has been already observed that emigration across the Bay to the Straits Settlements dates from before the beginning of the present century; and, in fact, the sugar, spice, tapioca, and cocoanut plantations of Penang have come altogether to depend on Madras for the supply of agricultural labour. This emigration, which in 1871 was said to average 4,000 a year, was chiefly carried on from Nagore and adjacent small ports, and was unregulated by law, except so far as the general Act regulating native craft plying in the Bay of Bengal affected the vessels engaged in the traffic. The labourers were partly introduced by agents on speculation, and partly by "tindals" or "kanganis" ("garden sirdars" as they call them in Cachar and Assam), sent over by the managers of estates to recruit in and around their native villages. The wages are not very distinctly stated, and the mischievous system of advances seems to have been much in vogue. The term of engagement does not appear to have exceeded two years; and as a large Tamil population has settled down at Penang, and intercourse between that settlement and Southern India was tolerably frequent, the condition of labourers was probably not uncomfortable.

Unregulated by law.

Nature of the emigration.

Mr. Hathaway's proclamation, March 1870.

The traffic went on undisturbed till March 1870, when Mr. Hathaway, sub-collector of Tanjore, stationed at Negapatam, publicly denounced it as involving "a regularly organised system of kidnapping," and issued a notice pointing out the entire illegality of the emigration under the existing law. In fact it had, probably, since the passing of Act XIII., 1864, been illegal to abet emigration to the Straits Settlements, for emigration is in that Act defined as the "departure of any native of India out of British India for the purpose of labouring for hire in some other place," and British India is declared *not* to include "the Settlement of Prince of Wales' Island, Singapore, and Malacca;" but neither at the time of passing the Act, nor in 1867, when the Straits Settlements were sundered from the control of the Government of India, was this aspect of the case noticed. The Government of the Straits Settlements did not fail to hear of Mr. Hathaway's proclamation, which, indeed, altogether checked emigration to Penang, and addressed a strong remonstrance to the Madras authorities, disputing the existence of any system of kidnapping in India, and distinctly denying that the female emigrants were destined for a life of prostitution, an allegation which formed part of the sub-collector's case against the traffic. The colony claimed to be put on the same footing as Ceylon. The Government of Madras, in reply, forwarded a report upon the whole subject by Mr. Stokes, who had succeeded Mr. Hathaway at Negapatam, in which it was maintained that the traffic, as conducted, did involve kidnapping of women and children, a system of duress or illegal confinement, and, moreover, excessive crowding on board ship. The Government of Madras, therefore, would only go so far as to permit emigration to Penang from the port of Negapatam, insisting upon all the checks of the emigration law then in force.

Remonstrance of the Straits Government.

Reply of Government of Madras.

Straits Government appeals to Colonial Office.

The Governor of the Straits Settlements then turned to the Colonial Office, and in July 1871 a Despatch was received from the Secretary of State, forwarding certain correspondence, in which Sir H. Ord proposed the adoption of a middle course between an absolutely unfettered emigration such as was allowed to Ceylon, and the enforcement of all the checks of Act VII., 1871. This proposal was, that the Government of India should pass a special Act legalising emigration to the Straits Settlements, provided the colony should establish at any port which, with the consent of the Indian Government, might be opened for the purpose, a Protector of Emigrants and a depôt whereat intending emigrants could be received before embarkation, and that they should only be embarked on ships which had received the license and approval of the Protector. As the main objection raised by Sir H. Ord to the introduction of the whole machinery of the Act was that of the expense involved, and as this assumed that the emigration must take place from some other port than Madras, it was suggested whether the needful labour supply might not be obtained from the port of Madras, the Straits Settlements paying their share of the expenses of the protectorate. Should this plan, however, not commend itself, it was asked that the specific relaxations desired might be stated. The Government of Signapore rejected the proposal of the Government of India, on the ground that the current of emigration would be seriously interfered with if only permitted from the port of Madras, and the Government of Madras agreed to accept Sir H. Ord's proposals, on the understanding that written contracts should be made in India; that all emigrants should be registered under Sections 27, 28, and 31 of Act, VII., 1871, and that the freest access to the depôt should be allowed to the local magistracy.

Views of Government of India.

Not accepted by Sir H. Ord.

Views of Government of Madras.

Ultimate solution of the question (Act XIV., 1872).

Ultimately, on very urgent representations of the injury to the agricultural industries of the colony caused by the check in the supply of labour, an Act (XIV., 1872) was passed enabling the Governor General in Council to exempt emigration to, or contracts for labour to be performed in, the Straits Settlements, from all or any of the provisions of the Emigration Act, 1871, and on the 6th June 1872, a notification was issued exempting such emigration and such contracts from all the provisions of that Act. At the same time intimation was conveyed to the Government of Madras that the arrangements described in the following extract from a telegram, dated 24th May 1872, had been approved:—"All restrictions on coolies proceeding from Negapatam to Straits will be removed for the present. Planters' agents to bring coolies intending to proceed to Straits

Straits before Magistrate at Negapatam, and state all particulars as to repayment of cost of passage-money, advances, diet during voyage, wages in Straits Settlements, nature of work, duration of engagement, return passage. Magistrate will enter these particulars in a register, copy of which will be sent to the Colonial Secretary to be reduced in each individual case into a contract on arrival. Magistrate will ascertain that coolies go willingly and with full knowledge of conditions. Magistrate will protect natives from crimping and prevent desertion of families. Passages will be under Indian Passengers' Act." The details of the arrangements proposed have just been reported. An Act in the nature of a simplified Emigration Act is suggested. In permitting this settlement of the question, I think the Government of India was a good deal influenced by the want of circumstantiality in Mr. Stokes' report, and by the fact that, when the Recorder of Maulmain alleged that evils similar to those asserted to prevail in connection with emigration to the Straits Settlements attended emigration from Madras to British Burma, the Government of Madras, and specially the Tanjore local authorities, denied the existence of such abuses, and maintained that the Madras coolie was very well able to take care of himself. And indeed the different positions taken in the two cases were not easily to be reconciled.

Rules as to licensing of recruiters.

In February 1871 a flagrant case of kidnapping by recruiters and others was brought to light at Allahabad, and attracted a good deal of attention both in India and in England. The offenders were punished, but the Government of the North-Western Provinces thought the case showed that the Protector of Emigrants at Calcutta did not exercise sufficient care in the licensing of recruiters and a reference to the Government of Bengal proved that such was the fact. The law required the countersignature of the Magistrate to the recruiter's license, and the Protector, regarding this as establishing some sort of guarantee, had been practically in the habit of licensing all persons presented to him by the agents. In reality, however, the Magistrate had no option but to countersign the license, and thus there came to be virtually no check upon the recruiter's fitness. The Government of Bengal, accordingly, amid much protest from the agents, directed that the Protector should, before issuing licenses to residents in the interior, satisfy himself as to their fitness by reference to the local magistrate. At the same time, as the agitation and excitement of feeling raised by the case of February (which by the way was followed by another crime of the same kind in July) had apparently led some officers to offer an undue opposition to operations of recruitment, a warning circular was issued, directing Magistrates to confine themselves within legal limits in the exercise of watchfulness on the movements of recruiters, and only to enforce the checks permitted by law, —checks which were considered amply sufficient.

Examination of intending emigrants by magistrate.

Of such checks the most important is that of examination of intending emigrants before the Magistrate, and as there appeared reason to suspect laxity in its application, a circular was issued by the Government of India enjoining the necessity of examining each emigrant separately and apart from the recruiter. In regard to women, this was especially insisted upon, as the difficulty of obtaining the required proportion of female emigrants had driven the Agents to offer a high premium for women, and thus had stimulated the inventive rascality of recruiters. It was suggested at the same time, that, if necessary, a *rule* under the last clause of Section 56, Act VII., 1871, would be promulgated, and on this point the opinion of Local Governments and Administrations was asked. The views of those consulted, varied; but I think the balance of opinion was in favour of the existing law being amply sufficient, if only carefully worked.

ITISH GUIANA

The cases of British Guiana and Mauritius.

The most important trains of correspondence falling within this recent period were those relating to British Guiana and Mauritius. The state of things disclosed in regard to those colonies will be dealt with in greater detail in the third part of this note when we come to consider the actual condition of Indian labourers. But it will be necessary here to explain in a general way the nature of the revelations made, in order to illustrate the action of the Government of India and of Her Majesty's Government.

The case of British Guiana. Mr. Des Vœux's accusations.

And first with regard to British Guiana. In May 1870 the Government of India received copy of a letter addressed by Mr. Des Vœux to the Colonial Office, alleging the existence of gross abuses in the law and administration of that colony with respect to Indian immigrants, and of a Despatch from Lord Granville to Governor Scott, proposing to appoint a Commission to inquire into the truth of the allegations. Such a Commission was ultimately appointed, the members being Mr. Frere, Sir George Young, and Mr. Mitchell. The Aborigines' Protection Society sent out Mr. Jenkins to watch the case, and the West India Association retained the services of Mr. T. H. Cowie, some time Advocate General at Calcutta. After a most painstaking investigation the Commission submitted an exhaustive report on the whole question, and a copy of this reached India in August 1871 as a Parliamentary Blue book. The first part of the report is occupied by an inquiry into the actual charges made by Mr. Des Vœux, and that gentleman is, perhaps, somewhat hardly dealt with, though, doubtless there was much of exaggeration in his statements. The Government of India, at any rate, owes him nothing but gratitude, for he was the means of bringing to light the state of things which the main body of the report is devoted to exposing. It was clearly shown by this investigation that the law of British Guiana was both framed and administered in a spirit of substantial injustice to immigrants. A five years re-indenture virtually drove the Indian labourer into a prolongation of servitude,

A Commission of inquiry appointed.

Their report.

Substance of facts found.

and

Defects of law;

and of administration.

and while under indenture he was at a marked disadvantage, the labour and vagrancy laws being, partly from their intrinsic unfairness, partly from their complication and ambiguity, a potent engine in the hands of the employer, while they afforded no means of summary redress to the labourer even for so vital a wrong as wages unjustly withheld. The administration of the law thus framed was equally unsatisfactory. The Commissioners declare that there was an absolute and universal want of confidence in the magistracy on the part of the immigrants. The magistrates vied with the judges in introducing a spirit of technicality into the interpretation of badly drawn statutes. With an average immigrant population of between 30,000 and 40,000, the number of cases against labourers had been 6,500 annually, while those against employers might be counted by tens. In half the cases brought by employers, convictions followed, but the other half did not consist of true acquittals. The mass of cases were withdrawn; in other words the law was used as a means of putting pressure upon immigrants, and charges were held over their heads *in terrorem*. Thus a system of stoppages from wages was organised, which caused universal discontent, and had in one case led to a violent outbreak. Similarly, the vagrancy law was often worked so as to prevent legitimate access to the immigration department. The penalties awardable were pronounced disproportionate, and those actually awarded excessive. While thus at a disadvantage in his legal position, the immigrant was, partly by the direct action of the Colonial Government, partly by the weakness of the immigration officers, and the gingerly way in which they used their powers, deprived to a great degree of the protection which it should have been the special function of the Immigration Agent General and his subordinates to afford him. The whole system of work and wages was unsatisfactory. The tendency was towards task work, and the tariff was in theory regulated by the wages earnable by labourers not under indenture, working on the same or neighbouring estates. In actual results the Commissioners after a laborious investigation found that the average earnings of able-bodied Indian male immigrants, excepting drivers, artisans, and other headmen, were throughout the colony about 28 cents a day for every day a fair day's work was done, and that about four-fifths of the adult males might be included in this class. Women earned from 16 to 32 cents, but did not as a rule work as many days as men. Children from 10 to 15 years of age earned from 8 to 16 cents per diem; men generally worked from four to five days out of the seven. Another calculation made by the Commissioners showed that if the males were taken alone, 40 per cent. of those who worked in a given week did not earn so much as 5*s*. each.

Immigration not sufficiently protected by immigration officers.

Wages.

Action of the Government of India.

As the report of the Commission was received without the orders of the Colonial Office, no immediate action of a general sort could be taken; but, when some delay occurred in ascertaining what had been done by Lord Kimberley, it was pointed out to the Secretary of State for India that the state of things brought to light was very serious, and that unless the Government of India should be speedily assured that remedies had been applied, it would be necessary to proceed under Section 57, Act VII., 1871, and suspend emigration to British Guiana. But on one point specific action was both possible and imperative. It was shown by the Commissioners, and indeed was manifest on the face of their report, that the rates of wages offered by recruiters in India, and entered in the register of emigrants as the stipulated or contract rate, grossly exaggerated the real wages attainable. Extracts of all passages in the Commissioners' report bearing on the rate of wages and their value in the ordinary necessaries of life were, therefore, communicated to all magistrates, and the Secretary of State was urged to obtain full particulars on this score from the colonies. Statements were in fact afterwards received and circulated. Those from British Guiana did not in any material point impugn the accuracy of the Commission's conclusions.

Measures recently taken by the Colonial Office.

Recently the orders of Her Majesty's Secretary of State for the Colonies on the whole question have been received, and testify to a cordial desire on the part of his lordship to co-operate with the Government of India in putting the relations between employer and labourer on a sound basis. A draft Ordinance has in fact been prepared embodying all the main reforms proposed by the Commission, and has been sent, not only to British Guiana, but to all colonies importing Indian labour for acceptance. As I have above indicated the main defects of the existing law of British Guiana, and as I have in another note analysed in detail the provisions of the draft now prepared under the orders of the Colonial Office, and as, moreover, the question, though important, is still in an incomplete state, I will not here describe the measure more minutely, but only add that in anticipation of a thorough consolidation of the law the British Guiana Legislature has already made several decided improvements. Among these may be noticed the measures for giving validity to contracts made in India, for establishing a system of rationing on liberal terms, and for securing a minimum wage of 25 cents for a fair day's work. I think the whole question may be regarded as progressing towards a satisfactory solution.

MAURITIU

Restrictive regulation in Mauritius Ordinance 31 of 1867.

We now come to the case of Mauritius. In 1868 an important correspondence between Sir H. Barkly and the Colonial Office on the subject of a proposed new Immigration Ordinance for that colony had been forwarded by Sir Stafford Northcote to the Government of India. The law was partly to repeal, partly to consolidate, and partly to enact new, and in some cases most important, provisions. I cannot do better than cite Sir C. Murdoch's analysis of it.

"The Ordinance repeals altogether 12 ordinances passed between 1845 and 1864, and

parts of two ordinances passed in 1862 and 1865, and generally re-enacts their provisions so far as they were still in force.

"To this part of the Ordinance it is unnecessary to refer further. A large part of the new provisions are also so obviously desirable in the interest of the immigrant that it is only necessary to refer very briefly to their object. Such are Sections 7 to 9, which provide for the delivery to an immigrant of a certificate of his engagement, and for contracts with minors; Section 14, which enables an immigrant, on showing sufficient cause, to obtain from the stipendiary magistrate at any period of his engagement the cancellation of his indentures; Sections 19 to 21, which authorise the cancellation of the engagement of infirm labourers, and the refusal to sanction fictitious engagements; Sections 22 and 23, which fix the duration of the day's labour and enable the magistrates to decide disputed questions as to task-work; Sections 25 to 38, which facilitate the recovery of wages and define the labourer's rights, giving him a claim against the real as well as the personal estate of the debtor; Section 63, which requires a declaration by the master of the property of a deceased labourer; Section 65, which, with a view to the medical care of the immigrants, imposes a penalty for a false statement as to the number on an estate; Section 66, which constitutes the Protector guardian to orphans and lunatics, and some other minor provisions for the easier enforcement of the law. In all these cases the object has been to afford increased protection to the immigrants, and the provisions appear well calculated for the purpose. I see no ground for objecting to any of them.

"But the Sections 40 to 48 open more important and difficult questions. Their object is to bring old immigrants (*i.e.*, immigrants who have completed their industrial service) under a system which shall compel them to pursue some calling by which they may earn an honest livelihood, and to place them under the immediate surveillance of the police. With this view it is provided that every old immigrant shall be registered, and shall be bound to provide himself with a ticket from the Protector with his photograph on it; that when not under engagement of service, he shall be bound to appear at the police station of his district, and declare his place of abode and occupation, and obtain a pass; that, whenever he shall change his residence, he shall appear before the chief officer of the police of the district to which he may proceed, for the same purpose; that any old immigrant not producing his pass on demand of a magistrate or the police shall be sent to the immigration depôt till it can be ascertained whether he has any visible means of subsistence or not, and that, if he has not, he shall be treated as a vagrant; that any immigrant obtaining a pass by false representations shall be treated as a vagrant, and that any immigrant found in a district where he has no residence shall be liable to arrest. It is further provided that the police may at any time, under a warrant from a magistrate, enter any premises where an immigrant is employed to ascertain his status, and in case of not being satisfied, may take the immigrant before the magistrate, and the Governor is authorised to send back to India any immigrant who is a confirmed vagrant, or a member of a criminal association.

"These sections are no doubt extraordinarily stringent, and introduce a principle unknown to, and inconsistent with, English law. They in fact place the class of old immigrants in the colony under the same restrictions as in this country have of late years been applied to the ticket-of-leave class. It remains to be considered whether the circumstances of the colony require or justify them."

Grounds assigned for these measures.

The Governor of Mauritius justified what he admitted to be the somewhat un-English character of these regulations upon two grounds, (1) that the result of leaving the "old immigrant" class entirely unfettered had been to foster disease, the habits of this class bidding defiance to all sanitary rules; (2) that the police needed to be armed with special powers of surveillance in order to check a special kind of violent crime, apparently of the nature of dacoity, which was alleged to have much increased. It must be admitted that the evidence either to establish the connection of the epidemic of 1866–67 with any special vices of the old immigrants, or to show any very marked progress of crime, was not very convincing. But Sir H. Barkly pointed to the case of Réunion in justification of his proposals, and they were supported not only by police authorities, but by the Procureur General and even by the Protector of Immigrants, the latter declaring that the measure would entail "no inconvenience worthy of notice" upon the immigrant living by lawful means, while the checks placed on the idle and dishonest would be beneficial to the community. Moreover, it was promised that both the magistracy and the immigration office would keep a strict watch over the exercise by the police of the extraordinary powers which the Act conferred upon them. Upon the whole, therefore, although the Emigration Board had evidently some misgivings, Sir Stafford Northcote, who was consulted by the Colonial Office, did not oppose the passing of the measure, to which the Duke of Buckingham and Chandos thereupon signified Her Majesty's assent. The Act and connected papers were communicated to the local governments in India.

Petition of "old immigrants," 1871.

Nothing more was heard upon the subject till 1871, when a copy of a petition purporting to be signed by a large number of Mauritius "old immigrants" was received from M. de Plevitz, a resident of that island. This petition complained of the restrictive laws in force as framed with the intention of discouraging free labour, and as practically resulting in most grievous oppression. The Government of Mauritius, to which the petition was addressed, was asked to inform the Government of India of the orders that might be passed thereon. In February 1872, we learn that the allegations contained in the

petition

petition were under the investigation of a carefully constituted Commission; and in the following June a copy of the report of that Commission was received, though without note or comment on the part of the Colonial Government. Meanwhile a Despatch had been received from the Secretary of State, enclosing papers from which it appeared that Sir A. Gordon, the new Governor of Mauritius, was by no means satisfied with the existing state of things. A Royal Commission, such as had sat in British Guiana, had been appointed to inquire into the state of Indian emigrants in Mauritius, and the Commission, in fact, began its labours on 17th April 1872.

The Police Inquiry Commission.

The Royal Commission.

The report of the locally appointed Commission was, however, a very startling document, as will be apparent from the following outline of the facts found by the majority of that body to be proved, taken from a Despatch addressed to the Secretary of State by the Government of India.

Disclosures made by the report of the Police Inquiry Commission.

"Under the head of abuses on the part of the police, the majority find that violence was at one time systematically used to obtain evidence, and that although the practice has ceased to prevail as a system, occasional instances still occur; that trickery and espionage are still resorted to for the same purpose; that fictitious cases have not unfrequently been got up by detectives; and that bribery and extortion were of frequent occurrence.

"Passing to the grievances of the 'old immigrants,' as those Indians who choose to remain in the colony after expiry of the term of their indenture are called, the report, after going 'through the petition, sentence by sentence,' declares, 'as the result of this minute dissection, that most of the grievances complained of have a real and substantial foundation, and that although the statement given is exaggerated, and was probably very imperfectly comprehended by not a few of those who signed it, yet that it conveys no unfair representation of the sentiments of the old immigrants respecting the grievances which bear most hardly upon them.'

"The elaborate analysis of the laws and regulations brought to bear on the 'old immigrants,' which the report contains, seems to us fully to establish the statements of the Commission, and to prove that this class of the inhabitants of Mauritius are subject to most vexatious and unnecessary restraints upon their personal liberty.

"As soon as the term of his indenture expires, the immigrant must, if he wishes to continue in the colony, take out a 'portrait-ticket' from the Immigration Office, and is charged 2 *s.* for the photograph which is affixed thereto. If he loses the original it costs him 1 *l.* 2 *s.* to replace it, and, pending the receipt of the duplicate, he must take out a 'permit to work' at a further cost of 5 *s.* He is bound to produce his portrait-ticket on demand by any officer or constable of police, under penalty of a fine of 2 *l.* or seven days' imprisonment.

"If he is not under engagement by written contract of service, he must also have a police pass, which he is bound to take out within eight days of the expiry of his term of industrial residence. Should he fail to produce this pass on demand, he is liable to a fine of 2 *l.* or seven days' imprisonment, without prejudice to any further punishment to which he may be liable for vagrancy. The first duplicate of any such pass costs him 2 *s.*, any subsequent replacement, 4 *s.* A new pass must be taken out on change of residence or of occupation, under the same penalty for default as is imposed for non-production of the pass on demand. But this pass cannot be obtained by any 'old immigrant' who declares that he lives on the wages of daily labour, or the proceeds of job work, unless he produces a license. For this license he has to pay 1 *l.* annually, and it must be exhibited and renewed under the same penalties as apply to the police pass.

"If, on the other hand, the immigrant re-engages under a contract of service, he gives up his ticket to his employer, and receives in return a certificate of engagement from the stipendiary magistrate. This certificate he can be called on at any time time to produce, and he is 'in practice' liable to be arrested, 'if he has not a written permission from his employer,' to account for his absence from the estate. 'The old immigrant,' says the report, 'must at various stages be provided with other documents, upon which it is unnecessary to dwell,' but for each of which a fee is levied. He cannot even leave the colony and return, at his own charge, to India, without paying 2 *s.* for a passport.

"By Section 48 of the Ordinance of 1867 he may be arrested without warrant if he is 'found in a district where he has no residence, or in any house or premises, and is unable to give a satisfactory reason for his being there.' A hawker cannot, for purposes of trade, pass the bounds of the district in which he resides, nor can an 'old immigrant,' resident in one district visit a friend in another without an endorsement on his pass from an inspector of police.

"Under warrant from a magistrate, the police may 'at any time of day or night enter any premises where any immigrant is employed or resides, to ascertain whether such immigrant is under contract of service, or has his ticket and police pass.' The report shows that this section was grossly abused, and raids popularly known as 'vagrant hunts" instituted under cover of its provisions.

"The penalties for 'vagrancy' were excessively severe: 28 days' imprisonment for a first offence, hard labour being 'added,' apparently without warrant of law, 'by the stipendiary magistrate.' After two or more convictions within two years, imprisonment for not less than six nor more than nine months might be awarded, and at the end of such imprisonment, if the employer of the immigrant could not be found, the latter might be employed on public works for three months longer, and then sent for allotment to a new master. 'The best comment we can make on this provision,' observes the majority of the

Commission, 'is that, although carried out previous to 1867, the president superintendent has declined the responsibility of applying it.'

"What constitutes 'vagrancy' is not altogether clear. But the clause of the law of 1867, which prescribed an inquiry by the immigration office before an immigrant was condemned as a vagrant, seems to have been systematically disregarded by the magistracy. That the law thus constituted was not left unenforced, Section V. of the Report of the Commission amply demonstrates.

"And while subjected to the rigours of this legislation, the 'old immigrants' lost the aid to which they are properly entitled at the hands of the Protector of Emigrants. The culpable neglect and apathy of Mr. Beyts suffered the Immigration Office to be, in the words of the report, 'transformed from an office where the immigrants may come freely for advice and assistance, into a department by means of which fees are levied from the immigrants, in addition to the ordinary taxation paid by law.' As we have been informed by the enclosures of your Grace's Despatch that Mr. Beyts has neglected altogether his duty of inspecting estates, the only means by which he could effectually protect the interests of immigrants still under indenture, and as he appears to have delegated even the task of levying fees upon 'old immigrants' to his subordinates, we fail to see in what direction the 'experience, capacity, and unquestioned activity' attributed to him in the report, have made themselves manifest.

"It is true that the Report of the Commission deals almost exclusively with the grievances of the so-called 'old immigrants,' and does not touch upon the questions affecting the condition of immigrants still under their first contract of service, noticed in the papers received with your Grace's despatch above cited. But when we read the accounts of the oppressive treatment to which the 'old immigrants are subjected, we cannot help fearing that there may probably be ample foundation for other complaints that have been made. These, however, have, we presume, already been under investigation by the Royal Commission, and we need not further allude to them at present."

Action of the Government of India.

Despatch to Secretary of State.

Upon careful consideration both of the evidence recorded by the Commission and their Report, it was decided to address both the Secretary of State and the Mauritius Government. To the former the facts were set forth, as in the above extract, and it was observed that, till receipt of the report of the local Commission, the Government of India had been disposed to wait the action of the Royal Commission and of Sir Arthur Gordon. But the disclosures of the "Police Inquiry Commission," as it was called, constrained the Governor General in Council to point out the responsibility laid upon the shoulders of the Indian Government by express legal enactment, in Section 57, Act VIII., 1871, and to declare that unless effectual measures should be taken within a reasonable time to remove the abuses brought to light and to ensure the proper treatment of all classes of emigrants, it would be necessary to stop all emigration to Mauritius. And with regard to the "old immigrants" it was said that nothing short of the abrogation of all measures which had been framed and administered at the expense of that class for the benefit of other classes of the community would be considered satisfactory.

To the Government of Mauritius.

A copy of the Despatch addressed to the Secretary of State was also forwarded to the Government of Mauritius, with a letter, the main purport of which was, that though the Ordinance of 1867 was passed in perfect good faith, its practical working was not foreseen. "In the first place, the amount of hardship necessarily involved in a number of minute regulations bearing on every-day life, and enforced by the police of the country, was much under-rated. Secondly, it was not foreseen that the magistrates who were expected to mitigate the oppressiveness of the law would in some cases, at any rate, augment it, and that not by legal means only. In the third place the character of the Protector of Immigrants was misunderstood. It was expected that he would carefully watch over the interests of of immigrants, and would bring to light and protest against any oppression to which they might be subjected, and not that he would wholly abandon his character of Protector and interfere, when he interfered at all, only to place fresh imposts and penalties upon the very people he was bound to protect." This latter point was especially dwelt upon, and Mr. Beyts' own evidence analysed at some length to justify the expression of an opinion that the needful supervision could never be exercised through that officer. A subsequent exculpatory letter from Mr. Beyts was received; but it did not tend to alter the view of the Government of India formed upon attentive perusal of his own evidence. The whole question is still *sub judice*, and I presume will not be decided till the report of the Royal Commission is in the hands of all concerned.

PART II.

Statistics of emigration begin from 1842.

We now come to the second division of the subject, that which treats of the facts of emigration as they affect India and the emigrants themselves. The records of emigration previous to 1842 are so scanty that it will be best to begin with that year, in which, as we have seen, emigration to the Mauritius was again permitted, after it had been for more than four years interdicted.

Number of men, women, and children

The appended Tables A.—H. show the number of men, women, and children emigrating in each year, from 1842 to 1870, from each of the three British ports, and collectively from the

the French ports, to each British and foreign colony to which emigration has been, at any time during that period, lawful. The figures are those given by the several Protectors of Emigrants. They do not exactly represent facts, inasmuch as the figures for Calcutta are for an official, while those for Bombay and Madras are for a calendar, year. But I have not thought it worth while to ask the Protector at Calcutta to undertake a re-adjustment of his figures according to the calendar year.

emigrating to each colony in each year shown in Tables A-H.

Table J shows the total number emigrating and their destination.

In Table J is shown the total number of souls emigrating, and the several colonies which drew upon India for labour during each year.

General review of the course of emigration.

The embargo upon emigration was only removed in December 1842: this accounts for the small number, 549, emigrating in that year. In the following year the demand for labour in the Mauritius, repressed by years of prohibition, again asserted itself, and nearly 40,000 emigrants sailed. Of these about 17,000 sailed from each of the ports of Calcutta and Madras, and the remainder from Bombay; the women were about 13 to every 100 men. In 1844 the number fell to 8,242, all to Mauritius. Madras supplied no emigrants this year, nor did that Presidency again begin to supply labour to Mauritius till 1850. The proportion of women rises to 16 to every 100 men. In 1845 the three great colonies of British Guiana, Trinidad, and Jamaica, enter the labour market, and for the three years 1845 to 1847 constitute, with Mauritius, the sole importers of Indian emigrants. The Mauritius demand stands at about 7,000 souls per annum, all from Calcutta. The West Indian Colonies laid Madras also under contribution. For these three years the per-centage of women rose to 21. In 1848 Jamaica drops out of the list, and in 1849 the other two colonies west of the Cape. Emigration was in fact stopped, partly on account of great mortality among coolies, partly owing to a conflict then waging between the colonists and the Colonial Office. In 1849 and 1850 the Mauritius demand slightly increases, and in the latter year Madras again begins to send labour to that colony. The per-centage of women falls to 16. In 1851 British Guiana and Trinidad again begin to import Indian labour, and the average emigration to these two colonies and Mauritius for the five years 1851 to 1855 rises to upwards of 18,500 a year. Out of this number more than 15,000 are due to Mauritius, which in 1852 again, after an interval of eight years, begins to draw labour from Bombay. The West Indian emigration of these five years is exclusively from Calcutta. The proportion of women rises to 21 for every 100 men. From 1856 onwards, the three great sugar colonies, Mauritius, British Guiana, and Trinidad, yearly indent for a greater or less number of emigrants. Jamaica is less regular. In 1856 the smaller West Indian British colonies come into the field, but their demand is neither large nor continuous.

The four years 1856 to 1859 may be taken together. Emigration culminated in the year 1858, when 45,838 souls left India. The number in the following year was, however, little less, viz., 43,057. The increase was, we may say, altogether due to Mauritius. Inquiry was made as to the cause, but with no very definite result. I believe the sugar plantations were prosperous at the period, but it was shrewdly suspected that the mutiny had much to say to it, and that many of the emigrants crossed the kálá pání to Mauritius to avoid a compulsory sea-trip to Port Blair. The annual average for the period was upwards of 31,000, of whom 27,000 to Mauritius, from all three ports, but chiefly Calcutta. In 1856 the West Indian colonies began again to draw upon Madras. The per-centage of women for this period rises to 37, the Colonial Office having begun to insist on the point.

For the 11 years 1860 to 1870, the annual emigration has been on an average about 18,200. But there has been much variation. For instance in 1861, the emigrants numbered 31,493; in 1867 the number fell to 7,614. The famine in the North-Western Provinces may have had something to do with the large number in 1861. The variations have been mainly due to variation in the number of colonies in the field and in the local demand. In 1860 Natal began to draw labour from India, and continued to do so till 1866. It recruited chiefly in Madras. In 1861 Réunion came into the field, drawing 5,333 souls from Calcutta. The emigration to Réunion has continued, but in decreasing numbers, and has, since 1865, been altogether carried on from the French Indian ports. In 1862 St. Croix took a shipload of Bengal labourers, the only emigration thither. In 1864 the French West Indian colonies entered the market; with the exception of one shipment from Madras their operations have been altogether carried on from Pondicherry and Karikal. The Mauritius demands have fluctuated within very wide limits. In 1865, 19,493 souls sailed for that colony; in the following year the number dropped to 3,549; and in the next year a single ship carried the whole Mauritius emigration. This sudden cessation of demand was greatly due to the epidemic fever of 1866 and 1867; the figures for 1868–1870 show a steady but slow increase in the demand for Indian labour. Since 1865 there has been no emigration from Bombay. The West Indian emigration has been tolerably steady, its operations since 1862 having been carried on exclusively from Calcutta. The per-centage of women to men for this period has been about 30. It must be noted that all these per-centages have been calculated on the number of "adult" men and women respectively. If calculated on the number of females of all ages as compared with males of all ages they would be somewhat higher. But the Tables supplied me have not always distinguished male from female children, so I have been obliged to mass together the children and infants of both sexes.

Total results of emigration.

The general results of emigration from 1842 to 1870 may, then, be thus summed up:—

	Men.	Women	Children.	TOTAL.
To Mauritius from Calcutta - - - - -	148,669	35,650	24,496	208,815
" " " Madras - - - - -	72,230	22,066	16,529	110,825
" " " Bombay - - - - -	22,954	5,743	3,064	31,761
TOTAL Emigration to Mauritius - -	243,853	63,459	44,089	315,401
To British Guiana from Calcutta - - - -	46,081	14,497	7,654	68,232
" " " " Madras - - -	7,242	2,486	1,731	11,459
TOTAL Emigration to British Guiana -	53,323	16,983	9,385	79,691
To Trinidad from Calcutta - - - - -	25,059	8,023	4,445	37,527
" " " Madras - - - - -	2,971	1,257	764	4,992
TOTAL Emigration to Trinidad - -	28,030	9,280	5,209	42,519
To Jamaica from Calcutta - - - - -	8,180	2,671	1,526	12,377
" " " Madras - - - - -	1,842	562	388	2,792
TOTAL Emigration to Jamaica - -	10,022	3,233	1,914	15,169
To Natal from Calcutta - - - - - -	695	194	122	1,011
" " " Madras - - - - - -	3,421	1,269	747	5,437
TOTAL Emigration to Natal - -	4,116	1,463	869	6,448
To minor British West Indian colonies and St. Croix from Calcutta - - - - -	4,281	1,471	746	6,498
To minor British West Indian colonies and St. Croix from Madras - - - - - -	306	124	93	523
TOTAL to British West Indian minor Colonies and St. Croix - -	4,587	1,595	839	7,021
To Réunion from Calcutta - - - - -	6,076	1,359	680	8,115
" " " Madras - - - - - -	1,410	491	230	2,131
" " " French ports - - - -	3,265	1,089	405	4,759
TOTAL* Emigration to Réunion - -	10,751	2,939	1,315	15,005
To French West Indian colonies from Madras -	219	72	39	330
" " " " " French ports -	10,581	4,046	1,384	16,011
TOTAL Emigration to French West Indian Colonies - - -	10,800	4,118	1,423	16,341

To condense still further:—

	Men.	Women.	Children.	TOTAL.
The total emigration from Calcutta has been -	239,041	63,865	39,669	342,575
" " " " Madras and French ports	103,487	33,462	22,310	159,259
" " " " Bombay - - -	22,954	5,743	3,064	31,761
TOTAL Emigration from India for the period 1842 to 1870 - - -	365,482	103,070	65,043	533,595

The

* *See*, however, Note to Statement G.

The return emigrants for the same period are said to have been:—

Return Emigrants.

From Mauritius* - - - - - - -	97,418
„ British Guiana - - - - - - -	7,621
„ Trinidad - - - - - - - -	3,981
„ Jamaica - - - - - - - -	1,848
„ other Colonies - - - - - - -	1,310
TOTAL - - -	112,178

The balance against India is therefore 421,417. But the figures of return emigrants are confessedly imperfect,† so much so that I have not attempted to give them in any detail as to each year or even as to the ports to which the emigrants returned.

Distribution of emigrants according to areas of recruitment. Bengal Presidency.

The Protector of Emigrants for Calcutta has been good enough to send me statements showing the number of emigrants to each destination, derived from each geographical circle of recruitment. I have not reproduced these in full, but the total results for the years 1842 to 1871 are shown in the following Table:—

TO	Orissa.	BENGAL.			Behar.	North-Western Provinces, Oudh, and Central India.	Elsewhere.
		Western.	Central.	Eastern.			
Mauritius - - -	3,116	33,131	8,951	1,118	108,156	47,286	3,619
British Guiana - - -	719	14,028	2,166	238	24,681	25,551	1,164
Trinidad - - - -	378	8,396	1,305	176	11,278	16,027	853
Jamaica - - - -	147	3,214	341	106	4,496	4,654	377
Minor West Indian Colonies	28	1,461	266	46	2,405	2,076	100
Natal - - - -	2	216	24	—	356	370	16
Réunion - - - -	19	1,667	171	29	4,027	4,460	262
	4,409	62,113	13,224	1,713	155,399	100,433	6,391

It thus appears that the province of Behar has contributed nearly one-half of the Calcutta emigration; the North-Western Provinces and Oudh come next (for the number from Central India is very small indeed), and Western Bengal stands third. The quotas from other provinces are very small. It may be said, generally, that the earliest recruiting grounds in the Bengal Presidency were Behar and Chota Nagpur, the so-called "junglies" or "hill coolies"‡ being much sought after. But the number of aboriginals gradually decreased, partly from the competition of the tea districts, partly because of the heavy mortality at sea among this class of emigrants. Simultaneously, recruiting operations seem to have been pushed further westward into the North-Western Provinces below Cawnpore, and, since the suppression of the mutiny, into Oudh. The tracts which now figure most largely in the lists are Arrah, Gyah, Patna, Allahabad, Ghâzipur, and Oudh. In the second rank come Cawnpore, Fatihpur, Jaunpur, Gorakhpur, Azimgarh, Chaprah, and Mungir. Below the last-named place and above Fatihpur cases of emigration are, so to speak, sporadic.

Madras Presidency.

The Protector at Madras thus writes of emigration from the Southern Presidency:— "The largest number are drawn from Godavery, Vizagapatam, and Ganjam districts, and from Madras and Chingleput. Emigrants from other districts are so rare that each instance might without trouble be noted in the return." In 1857 the Protector named Tanjore, Trichinopoly and South Arcot, in the south, Vizagapatam, Ganjam and Rajahmundry, in the north, as the main recruiting grounds.

From

* Mr. Beyts' Report for 1870, however, gives the following figures of return emigrants leaving Mauritius:—

	Males.	Females.	Total.
1834 to 1839 - - - - -	648	33	681
1840 to 1844 - - - - -	8,606	468	9,074
1845 to 1849 - - - - -	13,636	1,477	15,113
1850 to 1854 - - - - -	13,965	1,978	15,943
1855 to 1859 - - - - -	22,570	4,480	27,050
1860 to 1864 - - - - -	11,073	2,862	13,935
1865 to 1870 - - - - -	14,108	4,456	18,564
TOTAL - - -	84,606	15,754	100,360

† At Bombay, for instance, no record was kept of those paying their own way back. As in 1853 the Mauritius was allowed to dispense with the condition of a free return passage, the omission seriously vitiates the Bombay figures.

‡ Probably for the most part Oraon Kols—"the navvies of India," as Colonel Dalton calls them.

Bombay Presidency.

From Bombay I have nothing accurate. The returns, however, show that there was little emigration from the province of Gujrát, a somewhat negative result.

The data are on the whole insufficient to support any generalisation. I hardly think they establish any connection between briskness of emigration and density of population. More seems to depend on the habits of the population, the recruiters frequenting those tracts the inhabitants of which were already used to leave their homes to seek service in other parts of India.

Classification of emigrants as to religion and caste.

As to the classes to which the emigrants mainly belong, no records have hitherto been kept to allow of any detailed distribution. As a general rule the Hindus largely outnumber the Musalmans. For the Calcutta emigration, 1842 to 1870, Dr. Grant gives the following figures:—

Hindus	218,973
Musalmans	49,860
Aborigines	54,956
Christians	88
Total	323,877*

Of the emigrants from Calcutta the mass belongs to the lower agricultural and labouring castes of Hindus. But there is some mixture of all castes. Probably the emigration of 1857-59 included many of the better castes whence the sepoy army used to be recruited. From Madras, emigrants are said to be "chiefly Pariahs, with a considerable number of Sudras, and a few Musalmans." The Madras returns, which are, however, on this point imperfect, show about 3·8 per cent. of Musalmans. In the Bombay emigration 7·5 per cent. were Musalmans. A form has now been prescribed which will secure some classification both as to caste, religion, and "provenance," to use a convenient French word. This form for the four months, April to July 1872, gives the following facts for Calcutta. Of a total of 1,943 souls emigrating from the port (all for Mauritius)—

975 came from Behar.
702 from the North-Western Provinces, Oudh, and Central India.
130 ,, Western Bengal.
77 ,, Central ,,
7 ,, Eastern ,,
15 ,, Orissa.
37 ,, elsewhere.

Of the whole number only 284 or 14·5 per cent. were Musalmans. The remaining 1,659 are thus classified—

Higher castes	355
Respectable agricultural castes	633
Artisan castes	222
Low castes	449

Emigrants' savings.

The records of emigrants' remittances and acknowledged savings have been too laxly kept for any complete statement to be attainable. The following figures are given for Calcutta.

2,475 men. 57 women. 16 children.

From Demerara, 4,048 † return emigrants of all ages and both sexes are said to have brought with them in Government remittances close upon ten lakhs of rupees (9,99,805 rupees), besides 2,19,000 rupees in coin and jewellery, or upwards of 300 rupees each. From Trinidad 3,478 emigrants returned with 5,77,000 rupees, or 166 rupees per head. Those from St. Lucia and Grenada brought about 87 rupees and 75 rupees a head respectively. The 250 who returned from St. Croix brought nearly 200 rupees each. For Mauritius and Jamaica there are no records. Specific cases of comparatively recent returns are more striking, and are well authenticated. Thus, the "Ganges" from Demerara in December 1869 carried 418 souls, with 1,40,000 rupees of acknowledged savings, or 335 rupees a head all round; and in the same year the "Arima" brought 369 return emigrants from Trinidad, with no less than 160,000 rupees in bills and cash, or 432 rupees a head. The three last ships which have arrived, one carrying return emigrants from Trinidad and Grenada, the other two from British Guiana, have brought about 5,75,000 rupees, distributed between 1,422 return adult emigrants.

The following extract from the last report of the Emigration Board probably condenses most of the information attainable on the subject:—

Savings of return coolies from British Guiana.

"But the clearest proof of what can be earned by a frugal, industrious immigrant is to be found in the large sums of money and amount of property that some of them carry back to India. We have but little information on this point from Mauritius, but our returns show that from British Guiana, in the eight years ending 1869, the number who returned to India was 2,166, of whom 1,779 were adults. The money and jewellery they took with them

* This total, however, does not quite agree with that given above.

them was valued at 64,020*l.* 14*s.* 9*d.*, equal to an average of 35*l.* 19*s.* 9*d.* for each adult. In September 1870, the "Ganges" sailed with 421 returned immigrants, of whom 10 were Chinese. The amount they deposited for remittance or took with them was 12,290 *l.* 12*s.* 6*d.* The adult men and women on board were 344. The amount of their property was therefore equal to an average of 35*l.* 14*s.* 6*d.* for each adult. On the 22nd of September last, the "Wellesley" sailed for Calcutta with 423 return Indians, and one Chinese family, consisting of 15 persons, who paid their own passages. The amount deposited by these people for remittance was 11,174 *l.*, of which 666 *l.* 13 *s.* 4 *d.* belonged to the Chinese family. The average amount paid in by each Bengalee depositor was 38 *l.* 7 *s.* 11 *d.*; by each Madrassee, of whom there were only six on board, 8 *l.* 6 *s.* 8 *d.*

From Trinidad.

"From Trinidad the number who returned to India up to the 31st December 1868, was 3,201, and the amount of their savings was 63,861 *l.* 3 *s.*, equal to an average of 19 *l.* 19 *s.* 0¾ *d.* a head. In 1869, 372 immigrants, of whom 289 were adult men and women, returned, carrying with them money and property to the value of 16,087 *l.* 14*s.* 1 *d.*, equal to an average for each adult of 55 *l.* 13 *s.* 4 *d.* In 1870, the number that returned was 408, of whom 313 were adults, and the amount they carried with them was 12,736 *l.* 12 *s.* 1 *d.*, equal to an average of 40 *l.* 13 *s.* 10 *d.*, for each man and woman. In 1871, 159 immigrants, of whom, 29 were adults, went back, having deposited in the treasury 1,716 *l.* 12 *s.* 6 *d.*, equal to an average of 13 *l.* 6 *s.* 1⅞ *d.* for each adult; and four coolies left the colony by the Royal mail steamer to proceed to India *viâ* Suez, having deposited in the treasury for remittance 1,982 *l.* 10 *s.*, besides carrying with them a considerable sum in gold.

From Jamaica.

"We have no information as to the amount of property carried by immigrants from Jamaica before 1871. In 1871, two ships sailed with return coolies. The first carried 487 immigrants, of whom 362 were adults, and the amount they remitted through the Government or carried with them, 13,986 *l.*, equal to an average 38 *l.* 12 *s.* 8 *d.* for each adult. The second carried 438, of whom 314 were adults. The amount they remitted through the Government was 3,274 *l.* 10 *s.*, equal to 10 *l.* 8 *s.* 7 *d.* for each adult, but they refused to give any information as to the amount of money or the value of jewellery they had upon their persons."

Mortality

Mortality at sea.

The statistics of mortality at sea are extremely imperfect. The Protector of Emigrants at Calcutta gives tables running back to 1842, but the figures for the earlier years are evidently untrustworthy. The tables supplied by the Madras protector do not, on the face of them, include one-half of the ships which actually sailed, even in the case of Mauritius, and the record in respect of emigration to other colonies is more imperfect still.

The following figures of mortality on the voyage from Calcutta to Mauritius seem however, to be trustworthy :—

YEAR.	Number Embarked.	Deaths on Voyage.	Per-centage of Mortality.
1860 - - - - - - -	6,091	201	3·3
1861 - - - - - - -	6,936	132	1·9
1862 - - - - - - -	2,284	41	1·8
1863 - - - - - - -	1,822	32	1·7
1864 - - - - - - -	6,848	113	1·6
1865 - - - - - - -	15,117	494	3·2
1866 - - - - - - -	478	3	·6
1867 - - - - - - -	313	3	1·
1868 - - - - - - -	1,237	19	1·5
1869 - - - - - - -	1,499	5	·2
1870 - - - - - - -	1,937	20	1·
TOTAL - - -	44,562	1,063	2·4

The Emigration Board gives the mortality on the voyage from Calcutta to Mauritius in 1859 as 2·66 per cent. This, however, seems to have included about 300 deaths due to the loss by fire of the "Shah Jehan," an occurrence noticed in the first part of this note.

The statistics supplied, show that 215 deaths occurred on board 74 ships sailing to Mauritius from Madras in the years 1858 to 1870, and carrying 23,874 souls, less than one-half of the actual emigration in that period. This gives a very low death-rate, only ·9 per cent., but is more or less confirmed by the following figures given by the Emigra-

tion Board, which, however, I have not been able to reconcile with the numbers of emigrants as stated by the Madras protector:—

Year.	Number Embarked.	Per-centage of Mortality.	Year.	Number Embarked.	Per-centage of Mortality.
1850 - - -	4,221	·7	1859 - - -	10,087	·6
1851 - - -	4,078	1·9	1860 - - -	4,327	·6
1852 - - -	5,368	·18	1861 - - -	5,029	·8
1853 - - -	4,525	·4	1862 - - -	4,826	·9
1854 - - -	7,284	·6	1863 - - -	3,292	·2
1855 - - -	6,718	·6	1864 - - -	1,867	·2
1856 - - -	4,937	·9	1865 - - -	3,443	·2
1857 - - -	4,649	1·1	1866 - - -	3,350	·2
1858 - - -	11,006	·4			

The comparatively high death-rate in 1851 was due to one vessel which met with two hurricanes and had her water-casks carried away. Out of the 80 deaths of the year, 57 occurred from thirst on this ill-fated vessel.

For Bombay the Emigration Board gives the following statistics. Emigration from Bombay has been only to Mauritius.

Year.	Number Embarked.	Per-centage of Mortality on Voyage.
1857 - - - - - -	1,232	1·3
1858 - - - - - -	3,317	·6
1859 - - - - - -	5,346	·9
1860 - - - - - -	2,016	·7
1861 - - - - - -	1,816	·6
1862 - - - - - -	1,299	·3
1863 - - - - - -	1,041	·4
1864 - - - - - -	1,351	4·4
1855 - - - - - -	1,078	8·2

Neither are these figures reconcileable with those given by the local Bombay authorities.*

With regard to the great mortality in 1864 and 1865, *see* the first part of this note.

The Protector of Emigrants, Calcutta, gives the following somewhat fragmentary figures of mortality on the voyage from that port to the West Indian colonies, including St. Croix, but not French colonies in that quarter:

MORTALITY

* The Bombay Protector gives the following figures:—

Year.	Number Embarked.	Deaths.	Per-centage.
1859 - - - - - - -	5,287	19	0·36
1860 - - - - - - -	1,197	14	1·16
1861 - - - - - - -	2,172	14	0·64
1862 - - - - - - -	1,278	4	0·31
1863 - - - - - - -	706	2	0·28
1864 - - - - - - -	1,351	60	4·4
1865 - - - - - - -	1,078	89	8·2

MORTALITY from CALCUTTA to WEST INDIA COLONIES.

Year.	British Guiana.			Trinidad.			Jamaica.			Other West India Colonies.			Total.		
	Souls Embarked.	Deaths on Voyage.	Per-centage of Mortality.	Souls Embarked.	Deaths on Voyage.	Per-centage of Mortality.	Souls Embarked.	Deaths on Voyage.	Per-centage of Mortality.	Souls Embarked.	Deaths on Voyage.	Per-centage of Mortality.	Souls Embarked.	Deaths on Voyage.	Per-centage of Mortality.
1859 - -	4,594	618	13·4	1,736	166	9·4	703	140	19·9	698	51	7·3	7,731	975	12·6
1860 - -	4,288	158	3·7	2,080	144	6·9	1,709	202	11·8	682	9	1·3	8,759	513	5·8
1861 - -	4,366	202	4·6	2,030	71	3·5	2,161	192	8·8	1,774	54	3·	10,331	519	5·
1862 - -	2,967	91	3·	1,389	39	2·8	–	–	–	–	–	–	4,356	130	3·
1863 - -	2,643	88	3·3	1,433	46	3·2	–	–	–	–	–	–	4,076	134	3·2
1864 - -	3,139	788	25·1	1,450	43	3·	–	–	-	–	–	–	4,589	831	18·1
1865 - -	2,842	188	6·6	1,498	162	10·8	–	–	–	508	36	7·	4,848	386	8·
1866 - -	4,509	173	3·8	2,993	123	4·1	1,705	83	4·9	490	14	2·8	9,697	393	4·
1867 - -	3,001	101	3·3	1,840	49	2·6	–	–	–	–	–	–	4,841	150	3·
1868 - -	5,014	167	3·3	2,248	59	2·6	1,426	(?)	(?)	349	(?)	3·	9,037	(?)	(?)
1869 - -	6,685	310	4·6	2,935	52	1·7	924	24	2·6	294	4	1·3	10,838	390	3·6
1870 - -	3,199	48	1·2	2,087	44	2·1	1,382	23	1·6	606	(?)	(?)	7,274	(?)	(?)

We have already seen the terrible mortality of the year 1856, when 17·27 per cent. of the emigrants sailing for the West Indies from Calcutta perished on the voyage. In 1857 the mortality still stood at the high figure of 13·22 per cent.; in 1858, it was reduced to 10·43 per cent., and in the following year rose again to 12·6. It then was considerably reduced till the fatal year 1864, when one-fourth of the emigrants from Calcutta to British Guiana died on the voyage.

For the West Indian emigration the Madras figures are altogether insufficient. Statistics are only given for eight ships, carrying 2,972 souls. The deaths on board these numbered 45, or about 1·5 per cent. The Emigration Board states the mortality on voyages from Madras to the West Indies as follows:—

In 1856 - - - - - - - - - -	·98 per cent.
„ 1857 - - - - - - - - - -	1·31 „
„ 1858 - - - - - - - - - -	1·64 „

The following figures for Réunion are gleaned from the Consular Reports:—

Period.	Source of Emigration.	Number of Souls Embarked.	Deaths on Board or in Lazaretto.	Per-centage of Mortality.
1861 - - -	Calcutta - - - - -	6,991	607	8·8
1862 - - -	„ - - - - -	1,790	19	1·0
1862 - - -	Madras Presidency - -	3,904	56	1·4
1863 - - -	Calcutta - - - - -	291	9	3·1
1863 - - -	Madras Presidency - -	2,612	5	·2
1864 - - -	Calcutta - - - - -	1,112	36	3·2
1864 - - -	Madras Presidency - -	2,803	5	·17
1865 - - -	Calcutta - - - - -	460	14	3·
1865 - - -	Madras Presidency - -	1,121	2	·4
1866 - - -	„ „ - - - -	2,689	11	—
	TOTAL - - -	23,773	764	3·2

The heavy mortality in 1861 was due to cholera. Since then the mortality has been somewhat heavy from Calcutta, but remarkably light from southern ports, the difference being even more marked than in the case of Mauritius. Figures for the years since 1866 are not forthcoming.

For Natal and the French colonies west of the Cape statistics of mortality on the voyage are so very fragmentary as to be not worth citing.

It is obviously impossible to piece together these fragmentary returns into one general statement, or to draw any very detailed conclusions from such incomplete statistics. But one or two remarks are sufficiently obvious. The Madras emigration has been in a very great degree more successful than that from Calcutta in regard to mortality *en route*, and this whether we compare the Mauritius or West Indian emigration. Ships from Madras appear to have been quite free from those terrible epidemics which have once and again committed such havoc among Bengal coolies. I do not think that the doctors have brought forward any really satisfactory explanation of this. In the case of Mauritius the comparative shortness of the voyage from Madras has no doubt much to do with it. But this cause hardly exists in the case of emigration to West Indian colonies. It was suggested in 1858 that perhaps the large number of "hill coolies" shipped from Calcutta was one of the main causes of the heavy mortality of the Bengal emigration to the West Indies of the years 1856 to 1858, and it is an undoubted fact that this class does suffer greatly even on board *river* steamers. But this would not explain the great sickness of 1864, for, owing to the competition of the tea districts, the number of Dhangars, Kols, and their congeners, sailing to the West Indies, had greatly diminished. Altogether the question is distressingly obscure.

The Bombay emigrants, too, enjoyed an immunity from any severe sickness till 1864. In that and the following year ships from Bombay suffered more even than in any year from Calcutta to Mauritius. The causes of this epidemic also are still to seek.

MAURITIUS

TABLE A.

SHOWING the Number of Men, Women, and Children Emigrating to *Mauritius* from each Port in each Year from 1842 to 1870.

YEAR.	Port of Embarkation.	Men.	Women.	Children.	TOTAL.
August 1834 - May 1837	(Calcutta) + Bombay				7000 + 108
May 1837 - July 1838	(Calcutta) + Bombay				7411 + 139
1834 - 1838	Madras etc				10,000
1842	Calcutta	407	49	3	459
1843	Calcutta	14,710	1,951	642	17,303
,,	Madras	15,125	1,830	548	17,503
,,	Bombay	4,143	599	207	4,949
		33,978	4,380	1,397	39,755
Act XXI of 1843 = Emigration lawful only from Calcutta					
1844	Calcutta	5,595	956	620	7,171
,,	Bombay	935	109	27	1,071
		6,530	1,065	647	8,242
Act of VIII of 1847 = Emigration from Madras also made lawful but emigration started again 1850					
1845	Calcutta	6,323	1,254	964	8,541
1846	,,	5,045	1,290	845	7,180
1847	,,	4,904	578	451	5,933
1848	,,	4,743	607	430	5,780
1849	,,	6,162	933	575	7,670
1850	Calcutta	4,792	673	699	6,164
,,	Madras	2,729	608	299	3,636
		7,521	1,281	998	9,800
1851	Calcutta	5,591	918	721	7,230
,,	Madras	2,804	712	499	4,015
		8,395	1,630	1,220	11,245

TABLE A.—Showing the Number of Men, Women, and Children Emigrating to *Mauritius* from each Port in each Year from 1842 to 1870—*continued.*

YEAR.	Port of Embarkation.	Men.	Women.	Children.	TOTAL.
1852 - -	Calcutta - - -	5,672	1,511	1,300	8,483
" - -	Madras - - -	3,854	826	686	5,366
" - -	Bombay - - -	4,145	398	202	4,745
		13,671	2,735	2,188	18,594
1853 - -	Calcutta - - -	8,315	1,310	1,016	10,641
" - -	Madras - - -	3,146	798	581	4,525
" - -	Bombay - - -	420	45	- -	465
		11,881	2,153	1,597	15,631
1854 - -	Calcutta - - -	6,785	1,013	792	8,590
" - -	Madras - - -	4,593	1,357	1,364	7,314
" - -	Bombay - - -	649	103	56	808
		12,027	2,473	2,212	16,712
1855 - -	Calcutta - - -	5,811	1,495	1,023	8,329
" - -	Madras - - -	4,068	1,426	1,234	6,728
		9,879	2,921	2,257	15,057
1856 - -	Calcutta - - -	2,163	821	547	3,531
" - -	Madras - - -	3,014	1,046	876	4,936
" - -	Bombay - - -	843	300	141	1,284
		6,020	2,167	1,564	9,751
1857 - -	Calcutta - - -	6,238	2,876	2,136	11,250
" - -	Madras - - -	2,772	985	878	4,635
" - -	Bombay - - -	768	286	178	1,232
		9,778	4,147	3,192	17,117
1858 - -	Calcutta - - -	13,951	4,990	3,558	22,499
" - -	Madras - - -	7,240	2,742	2,106	12,088
" - -	Bombay - - -	2,530	1,048	570	4,148
		23,721	8,780	6,234	38,735
1859 - -	Calcutta - - -	11,657	3,460	2,489	17,606
" - -	Madras - - -	6,319	2,543	2,172	11,034
" - -	Bombay - - -	3,317	1,164	806	5,287
		21,293	7,167	5,467	33,927
1860 - -	Calcutta - - -	3,465	1,587	1,039	6,091
" - -	Madras - - -	2,519	1,126	670	4,315
" - -	Bombay - - -	715	309	173	1,197
		6,699	3,022	1,882	11,603
1861 - -	Calcutta - - -	5,009	1,220	707	6,936
" - -	Madras - - -	3,107	1,153	814	5,074
" - -	Bombay - - -	1,467	465	240	2,172
		9,583	2,838	1,761	14,182

TABLE A.—Showing the Number of Men, Women, and Children Emigrating to *Mauritius* from each Port in each Year from 1842 to 1870—*continued.*

YEAR.	Port of Embarkation.	Men.	Women	Children.	TOTAL.
1862 - -	Calcutta - - -	1,799	323	162	2,284
" - -	Madras - - -	2,949	1,032	779	4,760
" - -	Bombay - - -	858	283	137	1,278
		5,606	1,638	1,078	8,322
1863 - -	Calcutta - - -	1,266	343	213	1,822
" - -	Madras - - -	1,684	690	646	3,020
" - -	Bombay - - -	453	169	84	706
		3,403	1,202	943	5,548
1864 - -	Calcutta - - -	4,913	1,235	595	6,743
" - -	Madras - - -	1,265	852	396	2,513
" - -	Bombay - - -	931	268	152	1,351
		7,109	2,355	1,143	10,607
1865 - -	Calcutta - - -	9,935	2,898	2,282	15,115
" - -	Madras - - -	1,709	858	743	3,310
" - -	Bombay - - -	780	197	91	1,068
		12,424	3,953	3,116	19,493
1866 - -	Calcutta - - -	270	112	96	478
" - -	Madras - - -	1,484	759	828	3,071
		1,754	871	924	3,549
1867 - -	Calcutta - - -	187	80	46	313
1868 - -	Calcutta - - -	814	303	120	1,237
" - -	Madras - - -	215	84	59	358
		1,029	387	179	1,595
1869 - -	Calcutta - - -	917	370	212	1,499
" - -	Madras - - -	820	309	159	1,288
		1,737	679	371	2,787
1870 - -	Calcutta - - -	1,230	494	213	1,937
" - -	Madras - - -	814	330	192	1,336
		2,044	824	405	3,273
	TOTAL Emigration to Mauritius - -	243,853	63,459	44,089	351,401

Madras 72,220 22,066 16,529 1,10,825

TABLE B.

BRITISH GUIANA

SHOWING the Number of Men, Women, and Children Emigrating to *British Guiana* from each Port in each Year from 1845 to 1870.

died in voyage / died in Guiana / Returned to India in 1843 2 / Absconded / Remained in Guiana 6

YEAR.	Port of Embarkation.	Men.	Women.	Children.	TOTAL.
May 1837 - Aug 1838 (Calcutta)					424
1845 - -	Calcutta - - -	1,029	181	149	1,359
" - -	Madras - - -	188	37	7	232
		1,217	218	156	1,591
1846 - -	Calcutta - - -	1,050	228	138	1,416
" - -	Madras - - -	2,410	635	440	3,485
		3,460	863	578	4,901
1847 - -	Calcutta - - -	1,289	169	61	1,519
" - -	Madras - - -	526	168	159	853
		1,815	337	220	2,372
1848 - -	Calcutta - - -	881	98	45	1,024
" - -	Madras - - -	1,396	465	326	2,187
		2,277	563	371	3,211
1851 - -	Calcutta - - -	1,602	215	110	1,927
1852 - -	" - - -	1,823	366	162	2,351
1853 - -	" - - -	2,030	433	190	2,653
1854 - -	" - - -	1,870	349	102	2,321
1855 - -	" - - -	637	244	68	949
1856 - -	Calcutta - - -	1,379	449	155	1,983
" - -	Madras - - -	525	212	159	896
		1,904	661	314	2,879
1857 - -	Calcutta - - -	542	369	180	1,091
" - -	Madras - - -	457	196	111	764
		999	565	291	1,855
1858 - -	Calcutta - - -	1,591	563	308	2,462
" - -	Madras - - -	184	112	81	377
		1,775	675	389	2,839
1859 - -	Calcutta - - -	2,877	1,143	574	4,594
" - -	Madras - - -	173	109	63	345
		3,050	1,252	637	4,939
1860 - -	Calcutta - - -	2,389	1,238	661	4,288
" - -	Madras - - -	561	243	137	941
		2,950	1,481	798	5,229
1861 - -	Calcutta - - -	3,159	806	401	4,366
" - -	Madras - - -	618	224	178	1,020
		3,777	1,030	579	5,386
1862 - -	Calcutta - - -	2,239	549	179	2,967
" - -	Madras - - -	204	85	70	359
		2,443	634	249	3,326

TABLE B.—Showing the Number of Men, Women, and Children Emigrating to *British Guiana* from each Port in each Year from 1845 to 1870—*continued.*

Year.	Port of Embarkation.	Men.	Women.	Children.	Total.
1863 - -	Calcutta - - -	1,940	472	231	2,643
1864 - -	" - - -	2,201	527	411	3,139
1865 - -	" - - -	1,741	573	528	2,842
1866 - -	" - - -	2,752	1,203	554	4,509
1867 - -	" - - -	2,167	636	198	3,001
1868 - -	" - - -	3,020	1,151	773	4,944
1869 - -	" - - -	3,731	1,797	1,157	6,685
1870 - -	" - - -	2,142	738	319	3,199
	Total Emigration to British Guiana -	53,323	16,983	9,385	79,691
	Madras	7,242	2486	1731	11,459

TRINIDAD

TABLE C.

Showing the Number of Men, Women, and Children Emigrating to *Trinidad* from each Port in each Year from 1845 to 1870.

First consignment of 237 left Calcutta in 1844 & arrived in Trinidad in May 1845

Year.	Port of Embarkation.	Men.	Women.	Children.	Total.
1845 - -	Calcutta - - -	1,004	181	147	1,332
1846 - -	Calcutta - - -	570	107	78	755
" - -	Madras - - -	1,027	302	180	1,509
		1,597	409	258	2,264
1847 - -	Calcutta - - -	508	73	38	619
" - -	Madras - - -	428	110	79	617
		936	183	117	1,236
1848 - -	Calcutta - - -	590	66	24	680
1851 - -	" - - -	920	134	40	1,094
1852 - -	" - - -	1,405	211	113	1,729
1853 - -	" - - -	1,135	238	124	1,497
1854 - -	" - - -	240	38	16	294
1855 - -	" - - -	438	140	45	623
1856 - -	" - - -	992	414	155	1,561
1857 - -	" - - -	711	469	271	1,451
1858 - -	Calcutta - - -	1,352	539	282	2,173
" - -	Madras - - -	696	436	314	1,446
		2,048	975	596	3,619
1859 - -	Calcutta - - -	1,144	357	235	1,736
" - -	Madras - - -	379	236	175	790
		1,523	593	410	2,526
1860 - -	Calcutta - - -	1,410	430	240	2,080
" - -	Madras - - -	441	173	16	630
		1,851	603	256	2,710
1861 - -	Calcutta - - -	1,553	343	134	2,030
1862 - -	" - - -	1,042	253	94	1,389
1863 - -	" - - -	1,080	243	110	1,433
1864 - -	" - - -	1,044	250	156	1,450
1865 - -	" - - -	858	320	320	1,498
1866 - -	" - - -	1,739	819	435	2,993
1867 - -	" - - -	1,197	517	126	1,840
1868 - -	" - - -	1,328	564	356	2,248
1869 - -	" - - -	1,437	823	675	2,935
1870 - -	" - - -	1,362	494	231	2,087
	Total Emigration to Trinidad - -	28,030	9,280	5,209	42,519
	From Madras	2971	1257	764	4992

Immigration suspended 1848–1852

Immigrants landed May 1845 – 30.5-48 = 5,162 ... 1851-61 ... 14,338

Returns 2252

JAMAICA

TABLE D.

SHOWING the Number of Men, Women, and Children Emigrating to *Jamaica* from each Port in each Year from 1845 to 1870.

YEAR.	Port of Embarkation.	Men.	Women.	Children.	TOTAL.
1845 - -	Calcutta - - -	801	135	111	1,047
1846 - -	Calcutta - - -	599	110	71	780
1846 - -	Madras - - - -	1,109	291	210	1,610
		1,708	401	281	2,390
1847 - -	Calcutta - - -	457	59	24	540
1844 - -	Madras - - - -	379	156	103	638
		836	215	127	1,178
1859 - -	Calcutta - - -	427	170	106	703
1860 - -	- ditto - - -	958	400	351	1,709
1861 - -	- ditto - - -	1,545	414	202	2,161
1862 - -	Madras - - -	354	115	75	544
1866 - -	Calcutta - - -	1,034	465	206	1,705
1868 - -	- ditto - - -	873	348	205	1,426
1869 - -	- ditto - - -	567	236	121	924
1870 - -	- ditto - - -	919	334	129	1,382
	TOTAL Emigration to Jamaica - - -	10,022	3,233	1,914	15,169

From Madras 1842 562 388 2792

NATAL

TABLE E.

SHOWING the Number of Men, Women, and Children Emigrating to *Natal* from each Port in each Year from 1860 to 1870.

YEAR.	Port of Embarkation.	Men.	Women.	Children.	TOTAL.
1860 - -	Calcutta - - -	401	125	84	610
1860 - -	Madras - - - -	362	163	91	616
		763	288	175	1,226
1861 - -	Madras - - - -	267	71	30	368
1863 - -	- ditto - - - -	612	230	179	1,021
1864 - -	Calcutta - - -	294	69	38	401
1864 - -	Madras - - - -	969	383	226	1,578
		1,263	452	264	1,979
1865 - -	Madras - - - -	862	300	158	1,320
1866 - -	- ditto - - - -	349	122	63	534
	TOTAL Emigration to Natal - - - -	4,116	1,463	869	6,448

= 5700 adults

From Madras 3,421 1269 747 5,437

TABLE F.

Showing the Number of Men, Women, and Children Emigrating to the Minor *British West Indian* Colonies, and to the Danish Colony of *St. Croix* from each Port in each Year from 1856 to 1870.

St. Vincent.

Year.	Port of Embarkation.	Men.	Women.	Children.	Total.
1861 - -	Calcutta - - - -	241	49	26	316
1861 - -	Madras - - - - -	160	61	38	259
		401	110	64	575
1865 - -	Calcutta - - - -	133	52	38	223
1866 - -	- ditto - - - -	270	148	72	490
1868 - -	- ditto - - - -	204	85	60	349
	Total - - -	1,008	395	234	1,637

29 below

Indians on 31-12-1871 = 1442

Continued till 1880

2507

Indian population in 1901 = 2523

St. Lucia.

Year.	Port of Embarkation.	Men.	Women.	Children.	Total.
1858 - -	Calcutta - - - -	240	58	15	313
1859 - -	Calcutta - - - -	510	132	56	698
1859 - -	Madras - - - - -	146	63	55	264
		656	195	111	962
1861 - -	Calcutta - - - -	255	56	25	336
1870 - -	- ditto - - - -	182	92	28	332
	Total - - -	1,333	401	209	1,943

32 below

Indians on 30.6.1868 = 1079

Continued till 1893

4427

St. Croix. (Danish)

Year.	Port of Embarkation.	Men.	Women.	Children.	Total.
1862 - -	Calcutta - - - -	244	60	17	321

Few Indians left in 1873

Died in voyage 5
Died in colony till 1864 41
Returned to India in 1868 = 253
Remains in Croix = 34
US ship = 1

Indian population in 1901 = 2262

Grenada.

Year.	Port of Embarkation.	Men.	Women.	Children.	Total.
1856 - -	Calcutta - - - -	268	68	28	364
1857 - -	- ditto - - - -	194	124	64	382
1858 - -	- ditto - - - -	208	81	43	332
1861 - -	- ditto - - - -	794	211	117	1,122
1865 - -	- ditto - - - -	158	70	57	285
1870 - -	- ditto - - - -	188	72	14	274
	Total - - -	1,810	626	323	2,759

Continued till 1885

3792

St. Kitts.

Year.	Port of Embarkation.	Men.	Women.	Children.	Total.
1860 - -	Calcutta - - - -	192	113	56	361
	Grand Total - -	4,587	1,595	839	7,021

3 below

Indians in 1865 = 235

From Madras 306 124 93 523

REUNION

TABLE G.*

Geoghegan not sure of accuracy

SHOWING the Number of Men, Women, and Children Emigrating to *Réunion* from each Port in each Year from 1861 to 1870.

Illegal immigration before Convention of 1860 (mostly Malabars) } 40,000 in island in 1860

Legal emigration:—

YEAR.	Port of Embarkation.	Men.	Women.	Children.	TOTAL.
1861 - -	Calcutta - - -	3,920	900	513	5,333
1862 - -	- ditto - - -	726	107	31	864
1863 - -	Calcutta - - -	223	60	8	291
1863 - -	Madras - - -	537	167	91	795
		760	227	99	1,086
1864 - -	Calcutta - - -	1,207	292	128	1,627
1864 - -	Madras - - -	730	264	116	1,110
1864 - -	French Ports - - -	685	219	90	994
		2,622	775	334	3,731
1865 - -	Madras - - -	143	60	23	226
1865 - -	French Ports - - -	631	205	59	895
		774	265	82	1,121
1866 - -	French Ports - - -	1,242	384	165	1,791
1869 - -	- ditto - - -	707	281	91	1,079
	TOTAL - - -	10,751	2,939	1,315	15,005

* Since compilation of this Table, I find that an emigration of 2,760 souls took place from Calcutta to Réunion in the year 1860–61, the series, however, not being distinguished.

from Madras 1410 491 230 2131

MARTINIQUE

TABLE H.

SHOWING the Number of Men, Women, and Children Emigrating to the *French West Indian* Colonies from each Port in each Year from 1864 to 1870.

GUADELOUPE.

YEAR.	Port of Embarkation.	Men.	Women.	Children.	TOTAL.
1864 - - -	Madras - - - -	219	72	39	330
1864 - - -	French Ports - - -	332	207	32	571
		551	279	71	901
1866 - - -	French Ports - - -	1,929	660	255	2,844
1867 - - -	- ditto - - -	922	312	140	1,374
1868 - - -	- ditto - - -	1,181	559	144	1,884
1869 - - -	- ditto - - -	604	271	67	942
1870 - - -	- ditto - - -	626	250	61	937
	TOTAL - - -	5,813	2,331	738	8,882

MARTINIQUE.

YEAR.	Port of Embarkation.	Men.	Women.	Children.	TOTAL.
1865 - - -	French Ports - - -	298	103	14	415
1866 - - -	- ditto - - -	1,497	476	211	2,184
1867 - - -	- ditto - - -	369	151	77	597
1868 - - -	- ditto - - -	574	264	95	933
1869 - - -	- ditto - - -	310	125	40	475
1870 - - -	- ditto - - -	619	247	83	949
	TOTAL - - -	3,667	1,336	520	5,553

TABLE H.—Showing the Number of Men, Women, and Children Emigrating, &c.—*continued.*

FRENCH GUIANA.* see p 46

YEAR.	Port of Embarkation.	Men.	Women.	Children.	TOTAL.
1864 - - -	French Ports - - -	209	54	14	277
1865 - - -	- ditto - - -	271	93	28	392
1866 - - -	- ditto - - -	500	166	82	748
1867 - - -	- ditto - - -	340	108	41	489
	TOTAL - - -	1,320	421	165	1,906
	GRAND TOTAL - - -	10,800	4,118	1,423	16,341

* A statement lately received gives also the following figures of emigration from Pondicherry to French Guiana. If the emigration thus recorded consisted of British subjects, it can hardly have been legal.

	Men.	Women.	Children.	TOTAL.
1856 - - -	430	72	23	525
1860 - - -	813	276	135	1,224
1861 - - -	374	109	50	533

TABLE J.

SHOWING the Total Number of Emigrants in each Year, and their Destinations.

YEAR.	Total of Emigrants.	DESTINATIONS.
1842 - -	459	Mauritius.
1843 - -	39,755	"
1844 - -	8,242	"
1845 - -	12,511	" Jamaica, Trinidad, British Guiana.
1846 - -	16,735	" " " "
1847 - -	10,719	" " " "
1848 - -	9,671	" Trinidad, British Guiana.
1849 - -	7,670	"
1850 - -	9,800	"
1851 - -	14,266	" Trinidad, British Guiana.
1852 - -	22,674	" " "
1853 - -	19,781	" " "
1854 - -	19,327	" " "
1855 - -	16,629	" " "
1856 - -	14,555	" " " Grenada.
1857 - -	20,805	" " " "
1858 - -	45,838	" " " " St. Lucia.
1859 - -	43,057	" " " St. Lucia, Jamaica.
1860 - -	22,838	" " " Jamaica, St. Kitts, Natal.
1861 - -	31,493	" " " " St. Vincent, St. Lucia, Grenada, Natal, Réunion.
1862 - -	14,766	" " " " St. Croix, Réunion.
1863 - -	11,731	" " " Réunion, Natal.
1864 - -	22,084	" " " " " Guadeloupe, Cayenne.
1865 - -	27,589	" " " " " Cayenne, Martinique, St. Vincent, Grenada.
1866 - -	21,347	" " " Jamaica, Réunion, Natal, Guadeloupe, Martinique, Cayenne, St. Vincent.
1867 - -	7,614	" " " Guadeloupe, Martinique, Cayenne.
1868 - -	13,379	" " " Jamaica, Guadeloupe, Martinique, St. Vincent.
1869 - -	15,827	" " " Jamaica, Réunion, Guadeloupe, Martinique.
1870 - -	12,433	" " " Jamaica, Guadeloupe, Martinique, St. Lucia, Grenada.

PART III.

We now come to the third part of the subject, namely, the condition of the emigrants in the several colonies to which emigration has from time to time been declared lawful. The sketches, under this head, which I have been able to make are very unequal; the best of them are imperfect, and many of them are mere skeletons. But the materials for such a complete review of the position of the emigrant as I should have liked to be able to submit, have not in any instance been forthcoming, and I have had to do the best I could with what was attainable. It should be remembered, that while these sketches have been in preparation, an active discussion has been going on as to the condition of the Indian emigrant abroad, and the whole question of colonial legislation, as affecting immigrants, has been passed through the crucible. When this great question is finally settled, it will be necessary to write a supplement, or series of supplements, to this part of the note. With these remarks, I proceed to inquire into the facts bearing on the condition of coolies in the several colonies, beginning with Mauritius.

MAURITIUS.

The island of Mauritius lies between 57° 17′ and 57° 46′ east longitude and 19° 58′ and 20° 32′ south latitude. It is of elliptical shape, its greatest length being 37 miles, its greatest breadth 34 miles. Its area is 708 square miles. It is generally considered of volcanic origin. The centre is occupied partly by ranges of hills from 1,800 to 2,800 feet in height, partly by elevated plateaux. In general, these slope gradually to the sea, but in parts the slope is arrested, and plains, often marshy, and undulating grassy downs form a littoral varying in breadth from half-a-mile to several miles. The island is almost entirely surrounded by coral reefs, at varying distances from the land. The climate is not insalubrious. On the islands the temperature is said to range from 70° to 80° Fahrenheit; but at Port Louis, the capital, the thermometer stands much higher. The year is divided into four periods: from January to March is the season of great heat, as also of violent hurricanes. April and May I have not found very distinctly characterised. From June to September is the season of south-east wind and rain. From October to December the weather is described as squally, but dry. The rain-fall seems to vary within wide limits both from one part of the island to another, and in the same place from year to year. The soil is fertile, and is peculiarly adapted to sugar-cane. To this staple one-third of the total area of the island is said to be devoted, another third being given up to grazing or market gardens, manioc and maize. The soil is ferruginous, and is worked with the hoe. The island has been five times visited by cholera; in 1819, in 1854, in 1856, in 1859, and in 1862. Small-pox has also been occasionally introduced and taken an epidemic extension. But there has been no outbreak since 1865. Dysentery prevails in the rainy season; phthisis is very common and rapid in its progress, and hepatitis is not infrequent. Intermittent and remittent fever had till late years been very rare in the island, but appear to be gradually gaining ground. The epidemic fever of 1866–68 has already been noticed in the first part of this note. But as endemics, fevers both remittent and intermittent appear to be establishing themselves in the island. Syphilis, leprosy, and diseases of the lymphatic system are also said to be more frequent and of graver type than they once were, and the Fever Inquiry Commission of 1867 expressed themselves as decidedly of opinion that the public health had deteriorated. Statistics of mortality are quoted in confirmation; thus the death-rate in 1848 was 26·81; in 1865 it had risen to 33. For the whole year 1868 it was 53·6. This was a year of epidemic fever. In 1869 it stood at 33·7, and in 1870 it fell to 22 per *mille*. These statistics must be taken over a considerable range of time to be of value. The alleged deterioration of health is attributed by the Commission mainly to the gradual *déboisement* of the island, due to the spread of sugar planting, and to the consequent diminution of the water supply.

The following figures, taken from the census report of 1871, show the population in that year and ten years previous; the term "Indian" including both all Indian immigrants and all persons of unmixed Indian blood.

	Males.		Females.		Total.	
	1861.	1871.	1861.	1871.	1861.	1871.
Indian - - -	141,615	141,804	51,019	74,454	192,634	216,258
General - - -	61,346	51,771	56,076	48,013	117,461	99,784
Total - -	202,961	193,575	107,089	122,467	310,050	316,042

These are very remarkable figures. They show that upwards of two-thirds of the population of Mauritius is from Indian extraction, and that the tendency is towards a still greater preponderance, as the proportion of the women among Indians tends more to equality. The number of agricultural labourers, however, has *decreased* during the decade, as the following figures show:—

	Males.	Females.	Total.
1861 - - - -	84,727	303	85,030
1871 - - - -	61,993	225	62,218
Decrease - -	22,734	78	22,812

Of the "Indian" population, 109,173 males, and 44,530 females, or 153,703 of both sexes had immigrated under the immigration law, while 1,244 males and 420 females, or 1,664 souls in all, had come over of their own accord, bringing their labour to market. The remainder of 60,891 will represent the number of Creole Indians or persons of Indian blood born in the colony. In the department of agricultural labour the Indians seem to have few competitors. They also hold their own in domestic service, and even in trading pursuits. In this latter sphere their operations are mostly of the petty retail order. But I see that 11 planters and one manager are classed as Indians.

The French took possession of the island in 1721. In 1810 the English occupied it, and it was finally ceded to England in 1815, the French codes being, however, by an article of the treaty, declared to remain in force. French is the language generally spoken, and in blood and tradition the majority of the planter class are, I imagine, French.

The colony is administered by a Governor, aided by an executive council. There is also a legislative council composed of the members of the executive council and non-official members appointed by the Crown on the nomination of the Governor. I have not found the exact number of members of each class, but Sir A. Gordon remarks that the number of non-official members has been gradually increased till they are nearly two to one of the official members. The non-officials are all directly or indirectly connected with the sugar interest. The supreme court at Port Louis consists of a chief justice and two puisne judges. In the interior, I find district magistrates and justices of the peace, but nothing very definite as to their functions. The "exclusive jurisdiction for the enforcement of all contracts of service and for imposing all penalties for the breach, neglect, or non-performance thereof" is entrusted to a distinct* class of magistrates, the stipendiary magistrates of the Order in Council of 1838, and with this class we are most nearly concerned. They appear to be 15 in number, hold office during Her Majesty's pleasure, but may be suspended from office by the Governor, until Her Majesty's pleasure be known. Besides their summary jurisdiction, they may, in case of any dispute arising between master and servant as to the meaning of their contract, or the rights or obligations of either party under the same, act as arbitrators, and their award shall be conclusive and without appeal. The fees payable by complainants are, for a summons to party charged, 2*s.*; for a warrant, 2*s.*; for summons to a witness, 1*s.* But the magistrate may, in case of complaint by a labourer, remit these fees. If a complaint be dismissed as frivolous or unfounded, the plaintiff may be condemned to a penalty, if a servant, not exceeding 10*s.*, if a master, not exceeding 5*l.* If the complaint be dismissed as vexatious or malicious, the penalty may be 2*l.*, or imprisonment not exceeding one month for a servant, and a fine of 20*l.* for a master. Costs are to be paid by the losing party, and fees remitted in favour of the winner. All penalties and costs may be recovered by distress and sale of goods, and, failing sufficient distress, the party may be condemned to imprisonment at the following rate, viz.:—when the amount does not exceed 5*l.*, to a number of days, not however exceeding 30, equal to the number of shillings due; when more than 5*l.*, to any time not exceeding 60 days. An appeal will lie to the Supreme Court, if preferred within 10 days, against any order of a stipendiary magistrate (except when he acts as arbitrator), when the penalty awarded exceeds 2*l.*, if against a master; or a month's wages, if awarded against a servant, or when a sentence of imprisonment exceeding 10 days is inflicted.

As to the police of the colony I have no details, but according to the report of the Commission of 1871 it must stand sadly in need of reform. Bribery and the use of the most discreditable means to elicit or concoct evidence seemed to be not uncommon in a force so motley in its constitution and recruited from such questionable sources, that perhaps nothing better could be expected of it.

The special protective establishment in Mauritius has been a complete failure. It is inadequate in strength, armed with insufficient powers, and guided by no definite rules in some of its most important duties. Till 1865 it consisted of the Protector of Immigrants, and of him alone. In 1865, three medical inspectors were appointed, and the chief clerk of the immigration office was empowered to perform the duties of Protector during the absence of the latter from the depôt. But by an Ordinance of 1871 the three medical inspectors

* But an amalgamation of the Stipendiary and District Courts seems now to be in progress.

inspectors have now been reduced to one, whose appointment, moreover, will not, on a vacancy occurring, be filled up, the Government being at the same time authorised to appoint lay inspectors; and one such officer has been appointed on a salary of 500 *l.* per annum. The medical inspectors were never placed in subordination to the Protector, but to the General Board of Health. It is manifest that, when at its strongest, the protective and inspective staff was quite inadequate to ensure the proper care of a labouring population of upwards of 100,000 Indians.

The Protector is bound, on arrival of an emigrant ship, to proceed on board and inquire whether the regulations have been attended to; but I have not found any rules for his guidance more definite than the instructions contained in the Order in Council of 1842, which are very generally worded, and are moreover inconsistent with the later Indian legislation. I do not find that he is ever bound to report the result of his examination to the Protector at the port of departure. In the distribution of immigrants the Protector merely performed a duty of routine; once registered and examined by the medical officer they are made over to the requisitionists, the Protector having apparently power to prevent the separation of families, but no other discretion in the matter. I gather that a register, at any rate of immigrants still serving their period of industrial residence, is maintained by the Protector, but I cannot discover by what machinery; for, except that certain transactions connected with the cancellation or renewal of agreements come before the Protector, I cannot find that he is furnished with any means of knowing what becomes of an immigrant when once he leaves the depôt, unless he is returned as a deserter or vagrant. Immigrants out of work may apply to the Protector, who is to endeavour to obtain them employment, and meanwhile they are fed and taken care of at the depôt, and put to work there or hired out to temporary employers. The Protector is *ex-officio* guardian of Indian lunatics and orphans; and he may institute cases on behalf of immigrants for damages on account of neglect of official duty, and may intervene in any case of an appeal from the decision of a stipendiary magistrate, when an immigrant is a party concerned.

The system of inspection of estates in Mauritius is singularly inefficient. It does not appear that the necessity for any such measure was discerned till 1862. An Ordinance was then passed empowering the Protector, or any person whom he might depute by written order, to enter and inspect "any asylum, hospital, school, camp or other establishment" with Indian labourers, and to enter any estate or premises, except a private dwelling house, to investigate the condition of immigrants thereon. He, or his delegate, is also empowered to require any immigrants to be brought before him. The Ordinance of 1871 gives the same powers to the Inspectors appointed under it, adding, both for Protector and Inspector, the power to call for production of accounts and records. And obstruction of the Protector or other officer is punishable by the fine of 20 *l.* or one months' imprisonment. Vagrant depôts are also open to inspection. But the Protector is armed with no powers to apply a remedy to any evils he may discover, and he can do nothing but report what he sees to the stipendiary magistrate or the governor. The former can do nothing unless a specific complaint is made, the latter may move the Procureur General to take action when anything has occurred that would form ground for actual legal proceedings. In 1864, the Protector was directed to make an annual inspection of every estate; but the order does not seem to have been obeyed. The stipendiary magistrates were at the same time, by an executive order, directed to pay half-yearly visits to estates. But they had no power to take action upon the discovery of mismanagement or violation of rules, and do not seem to have been armed with any legal power of entry, though their right was not in fact disputed. Soon after the Medical Inspectors were appointed and bound to make quarterly visits. But all these inspections, even when made at all, appear to have been performed in the most perfunctory way, and to have had no result whatever. Indeed, as the officers charged with the duty could only inspect and nothing more, their visits naturally had no weight. Thus, as we shall see in more detail when we come to consider the position of "old immigrants," the office of Protector came to be "transformed from an office where the immigrants may come freely for advice and assistance, into a department by means of which fees are levied from the immigrants, in addition to the ordinary taxation fixed by law."

We have few details of the sugar industry* in Mauritius, and its mode of management. The

* Since the above was written, the evidence of some of the planters taken by the Commission enables me to give some further particulars. If the calculations of Mr. Antelme are to be accepted, sugar-planting in Mauritius ought to be a profitable speculation. He estimates that 100 lbs. of sugar, fetching six dollars in the market, can be made for a maximum of four and a-half dollars. This would be a profit of 33 per cent. Elsewhere, however, he says that 20 per cent. used to be looked on as a fair return for capital invested in sugar, but that less is now expected. According to another planter, the canes, both the white and red (or Belouguet) varieties, have been attacked by diseases. The "bamboo cane" was then tried, though inferior in yield of sugar. It too was attacked by another form of disease, and now efforts are being made to naturalise new species or varieties from New Caledonia. The staff of employés (a word used in a technical sense in Mauritius) consists of a manager, a book-keeper or assistant, a head overseer, and one or more overseers, besides a "man to mark men's names." The latter is often an Indian, the others are, as a rule, Creoles, or white people. The labourers are divided into two main gangs, the "grande bande" or able-bodied gang, and the "petite bande." According to one planter the wages are regulated by the gang to which the labourer belongs, being one rupee more in the grande bande than in the petite bande. This, however, is denied by other planters. The able-bodied gang does "carting, cane-holing, cane cleaning, and cutting, and whenever it is necessary to bank up the canes, and there is hard digging to be done, the grande bande is employed." The firemen, stokers, wood-cutters and some others also belong to this gang.

On some estates task work is much affected, on others not; but cleaning, holing, and cane-cutting appears

The number of estates in 1870 was 251,* measuring 122,343, arpents.† This gives an average area of 486 arpents to each estate, an arpent being 40,000 square feet, French According to the Police Inquiry Commission "the agricultural interest has, since 1868, been very prosperous."

Upon these 251 estates there were, of labourers and their families, 121,457 souls, thus classified :—

Above 10 years of age.	Males.	Females.	Total.
Indians‡ - - - - - -	66,792	22,406	89,198
Creoles - - - - - -	3,043	2,945	5,988
Africans, &c. - - - - -	408	101	509
	70,243	25,452	95,695
Children under 10 - - - -	12,839	12,923	35,762
Total - - -	83,082	38,375	121,457

This gives an average population of nearly 500 souls for each estate, while there would be about one working hand to $1\frac{5}{7}$ arpent.

The history of emigration to the Mauritius may be gathered in a general way from Parts I. and II. of this note. The emigration began in 1834, and up to August 1838, the colony is said to have imported about 25,000 Indians. Then came the prohibition, which, as we have seen, was more due to popular agitation than to any abuses *proved* before the embargo was notified. And, indeed, the worst of the abuses subsequently revealed were abuses in India itself. At the end of 1842 emigration was resumed, and with varying volume the stream has continued to flow (with the one brief check in 1856–57 due to the inefficient quarantine arrangements and the consequent prohibition), till the Indian element now forms, as we have seen, more than two-thirds of the total population of the Island. Till 1844, the Colonial Government does not seem to have interfered to regulate or control the influx of Indian labour. But a bounty on each labourer introduced was paid, seemingly out of colonial revenues, to his introducer. In 1844, the whole management of immigration was taken under Government control, and planters had to send in their requisitions for labour to Government, whence they were transmitted to the agents in India. Gradually, however, a system of obtaining labour over and above the Government indent came into vogue, and we have seen to what abuses it gave rise, and how, in 1859, it was sought to remedy these abuses by permitting valid contracts to be made in India. We have also seen how the term of contract was gradually extended from one year to five, and how the grant of a free back-passage was abolished. The legislation of 1867 has also been noticed, with the system of repression thereby introduced for time-expired immigrants. On the whole, then, the tendency of Mauritius legislation has been, I think, towards reducing the Indian labourer to a more complete state of dependence upon the planter, and towards driving him into indentures, a free labour market being both directly and indirectly discouraged.

The financial basis of emigration to Mauritius seems to be somewhat as follows :—The first employer is supposed to pay the whole cost of the introduction of men and half the cost of the introduction of the necessary complement of women. But in calculating this cost, the whole expense of emigration does not appear to be included. Thus, in 1864, the cost to Government is made up of several items, *viz.*, half-passage money of the contingent of women, bounties to married women (these have, however, ceased to be paid since 1865), quarantine establishment, return passages, agencies in India. For the three years, 1862–1864, the Government contribution averaged 25,000 *l.* per annum. But it must have been much less of late years owing to the great decrease in the numbers of the emigration.

to be generally done by the task. In cane-holing a task varies from 80 to 200 holes, according to soil. The holes are 2 feet by 10 inches, and from 8 to 11 inches deep. A square or bed is supposed to be 400 square feet (French). The number of holes in the square depends on the kind of cane. The yield of sugar seems to vary greatly, some canes giving 5,000 lbs. the acre of 40,000 square feet, and others not more than 1,500 lbs. A weeding task varies from 400 to 1,000 square feet; a planting task from 300 to 400 holes. Canes are not renewed every year: the "bamboo cane" will bear four or five cuttings. The Mauritius planter does not appear to strip the trash off the cane as is done in Demerara.

* I got this number by actually counting the estates as given *nominatim* in the Protector's report. But in his Report for 1871, Mr. Beyts puts the number of estates at 217.

† In 1865 there were upwards of 100,000 arpents under sugar-cane, and the island produced 85,000 tons of sugar.

‡ The *Indian* population on sugar-estates on 10th April 1871 is thus classified :—

	Male.	Female.	Total.
Immigrants—			
From Calcutta - - -	36,815	12,836	49,651
„ Madras - - -	18,086	9,090	27,176
„ Bombay - - -	5,035	2,143	7,178
Indo-Mauritians - - - -	16,192	14,863	31,055
Free Indian passengers - - -	40	12	52
	76,168	38,944	115,112

emigration. The cost to the employer of introduction of an adult male seems to be steady at about 9 *l.* 5 *s.* from Calcutta, and 9 *l.* 14 *s.* from Madras. From Bombay, in the last years of emigration thence, it stood at about 7 *l.* 14 *s.* According to Mr. Beyts this includes cost of recruitment, food and clothing in India, passage money, gratuities to masters, mates, and medical men, and maintenance in depôt before distribution. At the time of making requisition to Government for emigrants, the employer binds himself and two sureties to recoup Government for the cost of introduction, and the emigrants are only allotted to him on payment of the cost of introduction of the men, and half the cost of that of the women. The requisition may be either for the engagement of coolies to serve the individual requisitionist, or for the allotment of labourers engaged generally in India to serve any employer to whom they may be assigned; but in point of fact, the latter system is little resorted to, emigrants being "almost universally" engaged for a particular estate. In the former case, the applicant must specify the wages and rations he is prepared to give. But these must never fall below the rates declared from year to year by Government. If the application is for an allotment in Mauritius, the Government scale of wages and rations is stipulated for. In either case, "proper lodging and medical care" form conditions of the contract. The minimum rates for males under 18 years of age, or for females, are to be fixed by the Protector; but, as a general rule, women are not specially applied for. The contracts of males are for five years, and bind the emigrant for that term to serve either a specified employer or the employer to whom he may be allotted on arrival, as the case may be, in consideration of wages and rations at rates set forth in the contract, together with lodging and medical care. The contract may also stipulate for re-payment, by instalments, of any advance of pay not exceeding one month's wages. On arrival of an emigrant vessel in the colony, the Protector of Immigrants is bound to proceed on board before the passengers disembark, and to ascertain that the rules as to space, provisions, and good treatment have been attended to. By the Order in Council of January 1842, no money can be paid on account of immigrants, except under warrant of the Governor, and such warrant can only be issued on a certificate from the Protector that the rules have been observed. Under Clause 15 of the Order in Council, heavy penalties are also awardable for breach of the regulations. Notice is published of the arrival of the immigrants, and the requisitionists appear and have their contingents allotted to them. Should any requisitionist refuse to accept the immigrants procured for him, they may be allotted, for a consideration, to some other employer, the money paid by the latter going to diminish the amount recoverable under bond from the original applicant. The Protector has no power to refuse allotment, but may prevent the separation of families. Upon allotment, a certificate of engagement is given to each labourer and a certificate of allotment to the employer, to whom also are entrusted the number tickets of the immigrant. Upon sight merely of this certificate of allotment (as well as I can understand), the stipendiary magistrate may be called upon to prepare a contract. Even the parties need not be present. Mr. Beyts, however, says that no contracts are made in the Mauritius by new immigrants, the contracts made in India being held sufficient.

The employer, having paid the cost of the labourer's introduction, is held, as a general rule, entitled to the labour of the latter for his five years of industrial residence; and, should the term of labour be shortened, or the labourer be transferred, except for the fault of the employer, the introducer is held entitled to a proportionate compensation from some quarter. Thus, the time of industrial residence may be completed—(1) by actual residence under written contract for five years; (2) by redemption; (3) by release; (4) by exemption. Release may be effected at any time by the introducer appearing with the labourer before the Protector or a stipendiary magistrate, and signing the needful document. Exemption may be given by the Governor upon the certificate of the Protector or a stipendiary magistrate to any immigrant incapacitated from labour by infirmity, accident, sickness or other cause, and not being under contract of service, and the Governor may grant such immigrant a free passage back to India. Redemption may be effected either on termination of a contract (though as contracts are for five years, I do not see how this can happen), by payment at the rate of 1 *l.* 12 *s.* per annum for the unexpired portion of the industrial residence, or, in special cases, by the cancellation of the contract. In this latter case, the immigrant must lay his special grounds before the stipendiary magistrate, who then inquires into the case, and submits the proceedings to the Procureur General. The latter may thereupon direct the discharge of the immigrant from his contract on payment to his employer of a share of the cost of his introduction proportionate to the unexpired portion of his term of service. On the same principle, when a "new immigrant" enters into a contract with other than his original employer, the hirer pays stamp duty in favour of the first introducer, unless the first contract has been dissolved for misconduct of the parties. But the discharge of an immigrant from engagement does not, *ipso facto*, complete the term of industrial residence. He must either *redeem* or *re-engage* within eight days of discharge. Failing this, he is sent to the Protector, who endeavours to obtain employment for him; if he will not engage on terms approved by the Protector, he may be sent to the workhouse.

The contracts are obscure as to the nature of work required; the labour is, however, in general terms, that involved in the cultivation of sugar-cane and the manufacture of sugar. Field labour is not to exceed nine hours a day, and only works of immediate necessity are to be required upon Sunday, a provision not always strictly observed. Task work may be assigned at the option of the employer, a reasonable task only being exacted. Of the reasonableness of a task the stipendiary magistrate is to judge, assisted, if he thinks

thinks fit, by one or two competent sworn appraisers. Upon proof before a stipendiary magistrate that a servant has neglected to perform his stipulated work, or has performed it negligently or improperly, or that by negligence or other improper conduct he has injured the property of his master entrusted to his care, the magistrate may, in his discretion, award any one or more of the following penalties:—(1) a pecuniary penalty, for the master's benefit, not exceeding one month's wages; (2) imprisonment, with or without hard labour, not exceeding 14 days; (3) dissolution of contract of service. For the "pecuniary penalty" may be substituted a fine, not exceeding 10 *l.*

Unlawful absence is defined as being absent from work without the leave of the employer or any justifiable cause, and the immigrant guilty of this offence is liable, besides forfeiting wages and allowances for the period of such absence, to pay to his employer one halfpenny for each shilling of his monthly wages for each day of absence. Thus a labourer on 10 *s.* a month will, for a day of unlawful absence, lose 9 *d.* in actual cash and a day's rations to boot. "The forfeiture may be applied by the employer in the first instance, but subject to his justifying the same to the stipendiary magistrate, in the event of the immigrant complaining that his wages have not been fully paid." Instead of the forfeiture, the employer may prosecute before the stipendiary magistrate, who may sentence the immigrant either to imprisonment not exceeding 14 days, or, at the option of the employer, to a prolongation of the contract equivalent to the time of absence. This prolongation may be redeemed by a payment at the rate of 6 *s.* a month. But every form of punishment for unlawful absence is barred if wages be two months in arrear, or if the employer have refused an application for wages lawfully due.* Unlawful absence, when prolonged for three days, if the immigrant also abscond from his dwelling-place, becomes desertion, punishable with imprisonment not exceeding three months. But the offence of desertion is condoned if the employer permit the deserter to resume work without prosecuting him. Deserters may be apprehended by the employer or his servants in any public place,† but must be made over at once to the police, under penalty of a fine not exceeding 10 *l.*, or a month's imprisonment; similarly, the police may arrest deserters, but must at once take them before a stipendiary magistrate. A record of deserters is to be kept by the Protector, but the employer does not appear to be *bound* to report desertions.

Imprisonment, except for unlawful absence, and, I presume, desertion, does not count towards the term of contract; but any immigrant imprisoned for breach of contract may be released at the instance of his employer. I am not very clear whether a new immigrant can become a vagrant. The law is somewhat obscure; and in any case it may be best discussed when we come to consider the status of the time-expired, or "old" immigrant.

The reports are meagre as to the actual working of the law. But I find the following figures of complaints by masters in the reports available:—

	1863.	1864.	1870.
Refusing to work	579	592	420
Unlawful absence	7,077	5,539	1,661
Desertion	5,296	6,040	2,574
Malicious injury to property	12	6	187
Insubordination, assault, &c.	48	71	108
Using false papers	351	485	59
Other charges	940	396	743
TOTAL	14,303	13,129	5,752

The following figures of Convictions of Immigrants on complaints preferred by employers are given in Mr. Beyts' Report for 1871:—

OFFENCES.	CONVICTIONS.		
	1869.	1870.	1871.
Refusing to work	282	298	241
Unlawful absences	1,719	1,431	826
Desertion	3,627	2,240	2,190
Mischievously injuring employer's property	3	160	10
Insubordination, assault, &c.	51	86	27
Using false papers	17	49	10
Other charges	139	132	87
TOTAL	5,838	4,396	3,395

* Nevertheless, Mr. Frere says that these conditions have been disregarded, and the "double-cut" made when wages were two months in arrear.

† Yet from the evidence of Mr. O'Connor, Inspector of Police, given before the Royal Commission, it

These

These figures show considerable improvement in the relations between employers and employed. But the very large proportion of convictions (*see* the figures for 1870) is not a wholesome sign.*

The following figures are given to illustrate the amount of unlawful absence and desertion :—

Daily average of absentees in	1868	7,235
„	1869	6,003
„	1870	5,801
„	1871	5,823
Deserters arrested in	1867	2,830
„	1868	2,649
„	1869	2,376
„	1870	1,643

The gradual decrease is satisfactory to notice. Mr. Frere observes that he found great difference in the number of desertions; on some estates there were only "individual desertions," on others the deserters could be reckoned "by the score or hundred."

The provisions for the protection of the immigrant seem to be the following:—On proof before a stipendiary magistrate that an employer has not paid wages, or delivered the articles stipulated for, or that the articles delivered were not of the prescribed amount and quality, or that by negligence or other improper conduct of the employer, the contract of service has not been faithfully performed, or that the employer has ill-used the servant, the magistrate may make orders for payment of any wages in arrear, for delivery of the stipulated articles, or for compensation for injury sustained; and if the order be not complied with, execution may be had by sale and distress of the goods of the employer, and, failing sufficient distress, the employer may be committed to prison for any term not exceeding one month, unless compensation be sooner paid. The real estate of the employer appears also to be liable, and in case of bankruptcy or sale, wages are made a privileged claim on the estate. In any of the aforesaid cases the magistrate may order the contract to be cancelled either in addition to, or in substitution of any such order. He may, also, in lieu of the compensation, inflict a fine not exceeding 10 *l.* If wages be three months in arrear the servant may *claim* the cancellation of the contract. The statistics of the administration of this side of the law are also imperfect. I have found the following figures :—

	1863.	1864.	1870.
Non-payment of wages	4,699	3,743	2,551
Non delivery of rations	813	787	272
Refusal of medical care	35	30	47
Non-delivery of tickets	357	414	356
Assault and battery	260	205	238
TOTAL	6,164	5,179	3,464

In 1868, the total number of *convictions* of masters was 7,733; in 1869, it was 3,936. Here, too, we see a diminution in the number of charges. The convictions in 1870 and 1871 number respectively 2,507 and 1,578, of which 2,031 and 1,215 were for arrears of wages.† If we discard this class of cases, we have 390 convictions to 503 acquittals, whereas on the other side the convictions far out-number acquittals in every class of case. The

appears that managers of estates were in the habit of arresting labourers for *desertion* even "in camp," *i.e.*, in their own dwellings, and this in the face of the very definition of desertion.

* The Police Enquiry Commission notice a similar disproportion in the number of convictions in cases of "contraventions," as infringements of Police Regulations by immigrants seem to be called. The figures are certainly remarkable :—

YEAR.	Charged.	Convicted.	Number of Days' Imprisonment.	Fines. £. s. d.
1867	6,890	6,240	1,742	4,188 17 –
1868	9,277	7,710	310	5,478 1 –
1869	10,963	9,284	715	4,591 10 6
1870	17,358	14,114	4,674	6,342 – –
1871	13,340	11,179	2,055	4,729 5 7

† In the previous three years the convictions for this offence were—

In 1867	3,562
„ 1868	5,832
„ 1869	3,518

In fact, the system of allowing monthly payment of wages has encourged laxness in this respect. The

The preceding figures include cases against all immigrants. *For the sugar estates* the following figures are given in the Protector's Report for 1871:—

Cases brought by Employers against Labourers.

Decided against Complainant	147
" " Defendant	1,523
	1,670

Cases brought by Labourers against Employers.

Decided against Complainant	284
" " Defendant	181
	465

Thus, the planter won 91 per cent. of his cases; the Indian only 38 per cent.

The Protector is empowered to take up, on behalf of emigrants, any action for damages arising out of neglect of official duty, as also to intervene in appeals from the orders of stipendiary magistrates. But neither he nor the Government appears to be armed with any summary power of removing immigrants for ill-usage or the like. It is but fair to add that Sir A. Gordon, while strongly condemning the defects of the system, admits that "the treatment of immigrants on estates is, as a rule, kind and just."

For new immigrants we have seen that a minimum scale of wages is laid down by the Colonial Government, employers being allowed to send requisitions offering a higher rate.

The latest scale which I have obtained is dated 8th December 1868. It is as follows:—

"I. *Wages per Month.*

	1st Year.	2nd Year.	3rd Year.	4th Year.	5th Year.
1. *Of New Immigrants.*	s.	s.	s.	s.	s.
From 10 to 11 years of age inclusive	5	6	7	8	9
" 12 to 14 "	6	7	8	9	10
" 15 to 17 "	7	8	9	10	11
" 18 upwards	8	9	10	11	12
2. *Of Immigrants who came back to Mauritius after having returned to India.*					
From 14 to 17 inclusive	8	9	10	11	12
" 18 upwards	10	11	12	13	14

II.—*Allowances.*

"1. Immigrants above 12 years of age shall receive the following rations:—

Rice, 1½ lb., or 2 lb. pounded maize, or 2½ lb. cooked manioc, or 5 lb. raw manioc, per diem.
Dâl, 8 oz. - - - - - - - - - - - - - - - - " week.
Salt fish, 8 oz. - - - - - - - - - - - - - - " "
Ghí or oil, 4 oz. - - - - - - - - - - - - - - " "
Salt, 4 oz. - - - - - - - - - - - - - - - " "

"2. Immigrants under 12 years of age shall receive three-fourths of the above-mentioned rations."

The rates of money wage had then somewhat fallen as compared with 1864, when adult immigrants of a new importation could rise to 14 *s.* a month. The report for 1870 gives the following as the average wages of old immigrants employed in agricultural labour:—

	Maximum.	Minimum.	Average.
	s.	*s.*	*s.* *d.*
From 10 to 11 years inclusive	8	5	6 6
" 12 to 14 " "	10	6	8 –
" 15 to 17 " "	14	8	11 –
" 18 and upwards	20	12	16 –

with

stipendiary magistrates in 1870, on their inspections, found 24 estates three months in arrear, six estates four months in arrear, and one estate owing five months' wages. And Mr. Beyts admits that though the contracts stipulate for *monthly* payments, wages are actually paid only every *two* months. The inspections of 1871, however, show considerable improvement in the matter of arrears, and monthly payments are on the increase.

with rations* on the Government scale. In 1871, requisitionists began to offer 10 *s.* at the outset for adults.

For artisans and domestic servants the rates vary greatly. I extract a few instances:—

	Maximum.	Minimum.	Average.
	£. s.	£. s.	£. s.
Carpenters	4 –	2 –	3 –
Blacksmiths	2 –	– 12	1 6
Masons	3 –	– 16	1 18
Gardeners	1 4	– 6	– 15
Cooks	2 –	– 16	1 8
Table servants	1 –	– 2	– 11
Coachmen	2 8	– 16	1 12
Grooms	1 4	– 8	– 16
Tailors	1 16	1 4	1 10
Washermen	2 –	– 12	1 6
Sugar-makers	3 –	1 –	2 –
Mill-drivers	4 –	1 –	2 10

Rations, too, appear to be given, the scale varying from the Government minimum to one twice as liberal. It is not, however, clear whether rations are given in all cases. In the table of "rates of wages at which written contracts of service were passed" during 1870, the rates run up as high as 6 *l.*, and there were 124 engagements at rates about 4 *l.* Out of 76,921 engagements, 55,648 were at rates from 12 *s.* to 16 *s.* inclusive; 12,108 at rates below 12 *s.*, and 9,205 at rates above 16 *s.* There seems reason to believe that on many estates, besides the cuttings authorised by law, a system of illegal fines prevailed. Mr. Beyts remarks that in 1870 wages had an upward tendency.

The terms of the engagements made in the colony in 1870 and 1871, are given as follows:—

	In 1870.	In 1871.
Less than one year	4,877	4,416
One year	53,353	53,912
Eighteen months	12,300	7,390
Two years	4,113	7,566
Three years	1,990	2,601 (Three and Five years)
Five years	288	

It is to be remembered that this statement does not include the engagement of new immigrants which are made in India and for a term of five years.

We have seen that the first contract with immigrants pledges the employer to provide lodging and medical care. The former is described in the Ordinances as "sufficient and wholesome lodging, according to the usage of the colony." If it be proved before a stipendiary magistrate that the lodging of any labourer is insufficient, unhealthy or otherwise unfit to be inhabited, the magistrate may order its alteration or repair, or the provision of another suitable dwelling; and if the order be not complied with, the employer is liable to a fine not exceeding 5 *l.*; the contract may also be cancelled. Pending provision of satisfactory lodging, the employer may also be required to give the labourer an allowance of 3 *d.* per diem.

Every employer of 30 or more servants is bound, except in the district of Port Louis, where servants may be sent to the civil hospital, to maintain an estate hospital, to be certified by the inspecting medical officer, subject to appeal, in case of refusal of certificate, to the General Board of Health. It is to contain space for beds for 3 per cent. of the servants,† but never less than four in number, at the rate of 60 square feet, and 500 cubic feet for each bed. Medicines are to be provided to the satisfaction of the stipendiary magistrate on the report of the medical man in charge, and qualified‡ hospital attendants certified by the latter must be maintained. In case of any epidemic breaking out, the employer may be called on to provide additional temporary hospital accommodation.

Failure

* The money value of the ration is very variously estimated. Sir A. Gordon puts it at 3 *d.*; some planters estimate it at more than twice that amount.

† Sir A. Gordon points out that this per-centage is calculated, in case of immigrants, only on the number indentured, there is no provision for women and chhildren.

‡ This provision seems to be a dead letter. One of the medical officer says, "there is no such thing in reality as a hospital attendant." The accountant is generally made the dispenser of medicines.

Failure to provide hospital accommodation renders liable to a penalty not less than 5 *l.* nor more than 20 *l.*; a second offence, to a penalty not less than 20 *l.* nor more than 50 *l.* An employer may require sick labourers to go to hospital, and any labourer refusing to do so, and at the same time absenting himself from work, may be treated as unlawfully absent. Joint, or "union" hospitals are allowed, but must not be more than three miles from the place where any of the labourers for whom they are intended are employed. For every estate employing more than 30 servants, a "duly qualified medical practitioner" must be engaged, bound under a penalty of not less than 2 *l.*, nor more than 10 *l.*, to visit once a week any estate where there are from 50 to 200 labourers; where there are more than 200 labourers, two visits a week must be paid. A medical register is prescribed; and the medical practitioner is declared entitled to recover at the rate of 4 *s.* per annum for each of the servants whom he is engaged to attend.

To supervise the hospitals there were* apparently three medical inspecting officers, with powers of entry and inspection. They were bound to inspect each hospital once a quarter at irregular intervals, and without notice to the employer. The reports did not go through the Protector, but direct to the Colonial Secretary. The Protector has also powers of inspection, and the stipendiary magistrates have, since 1864, inspected estates. But the records are very meagre indeed. "Camps" and hospitals inspected by stipendiary magistrates are thus classed in the Reports for 1869 and 1870:—

	Camps.		Hospitals.	
	1869.	1870.	1869.	1870.
Very good	8	9	14	12
Good	166	183	182	171
Tolerable	26	13	10	16
In need of repairs or alteration	1	4	3	8
Bad	14	5	5	1
Very bad	4	1	1	–

The evidence before the Commission, however, shows that this classification of hospitals is much too lenient.†

The Report for 1869 speaks of the prevalent disregard of cleanliness, and states that great sanitary defects still existed. Yet the Records do not show any cases in which the law has been brought into play to enforce the provision of proper lodging and hospital accommodation. I should like to have seen a few cases punished by a considerable fine. It is admitted by Mr. Beyts that the hospitals do not represent the actual disease among emigrants. The daily average of sick (195 in 1869, 146 in 1870) sufficiently shows this, when compared with the labouring population upon estates. The mortality upon estates, however, compares favourably with that of the island generally, even in the years of epidemic fever. Thus, while the number of deaths per thousand of population was for the whole island 33·7, and 22 in 1869 and 1870 respectively, it was upon sugar estates 30·2, and 18·9 in the same years. In 1871 the rate on estates was 21 per mille, among the total population 25·8. The death-rate of children on estates is, however, high. In 1869 it was 60·8 per mille. The chief medical officer, in order to diminish this mortality, chiefly among newly-born infants, proposed to establish lying-in hospitals, and to train Creole women as sick-nurses and midwives. The Report for 1870, however, does not notice

* An Ordinance of 1871 seems to have abolished all but one of these medical inspectors, while providing for the appointment of lay inspectors. One such appears to have been appointed.

† Sir A. Gordon says of immigrants' lodgings and hospitals in Mauritius:

"The houses generally consist of low, dry stone walls from four to five feet in height, or of miserable palisades composed of aloe stalks, the roof in either case being of thatch; whilst, where houses better built of stone and lime, and roofed with iron, are provided, they are usually destitute of all ventilation. On one of the finest estates in the colony which I recently visited, the house of each immigrant family consisted of a single small compartment in a long row of similar habitations, without any aperture whatever for ventilation, except the door, and of such moderate dimensions that it resembled rather the cell of a lock-up than a human habitation.

"The hospital Ordinance, although it is, I presume, observed to the letter, is, I fear, too often broken in the spirit. The hospital seldom consists of more than one room, and is consequently useless to females, whilst only a small proportion of the men who are sick apparently make use of it, the cause for which I believe to be the fact that when sick in hospital they are usually dependent on their wives and families, if they have any, for the supply of their food."

According to the same authority there is little treatment out of hospital.

Sir A. Gordon cites a mock prescription, a specimen of several on the books, on one estate, as showing "that there are medical attendants who look or care for sick Indians as a superfluous piece of sentimentality, and the requirements of the law as a subject for derision."

The prescription runs thus:—

Nom, Carpen. Maladie, Feb. Int.

"Une douzaine d'huîtres tous les jours à son déjeûner. Arrosez les huîtres avec du Chablis vieux. Filet de bœuf et une aile de volaille rôtie à son dîner: Bordeaux Julien à dose tonique."

notice this point, nor afford figures to estimate the mortality among infants during that year.

When we pass from the estates to compare the death-rate among Indians as a whole class with that of the general population, the comparison is unfavourable to the former. The rates were:—

	1868.	1869.	1870.
Indians - - - - - - -	55·1	36·9	22·1
Others - - - - - - -	51·	28·1	22·
TOTAL - - -	53·6	33·7	22·

The actual number of deaths being:—

	Indians.	Others	TOTAL.
1868 - - - - - - -	12,186	6,217	18,403
1869 - - - - - - -	7,296	3,369	11,295
1870 - - - - - - -	4,768	2,658	7,426

I fear all the millesimal rates require correction with reference to estimated population, for they do not agree with the figures in a later report from Mr. Beyts.

On the expiration of his term of five years' industrial residence, three courses are open to the immigrant. He may return to India at his own expense* (for we have seen that the free back-passage was done away with in 1853); he may re-engage for any term not exceeding five years; or he may continue on the island and endeavour to make his own way as a shopkeeper, artisan, or so called free labourer. If he elects the first course, well and good.† If he chooses the second, he falls back into almost precisely the same position as before, except that he can make his own terms for wages. In point of fact, the wages of old immigrants, under contract, are somewhat higher than the Government scale, as is but natural, their labour being more valuable, and they being themselves more or less acclimatised. He has the same remedies against his employer's wrongs, and is liable to the same penalties for breach of contract as before. The guarantees for his proper lodging and medical care are the same (such as they are), as in the case of a new immigrant. But should an independent spirit or an honourable ambition lead him to adopt the third course, he at once finds himself hedged about with a net-work of restrictive regulations.‡ We have already (in Part I.) seen in a general way how this system sprang up. But the following extract from the Police Inquiry Commission's Report explains the plan of repression in greater detail:—

"Before entering upon a consideration of the petition and the working of Ordinance 31 of 1867, we propose first of all to point out the obligations laid by that law as to passes and tickets upon the old immigrant, that is, the Indian coolie who has completed his industrial residence of five years in the colony, and upon whom, therefore, neither the planter who introduced him, nor the colony have any special claim under the original contract.

"Every § old emigrant must take out a ticket from the Immigration Office bearing his photograph thereon. The tickets are issued free, but the immigrant must pay for the photograph (Section 39). The price of this was formerly 4 s., and is now reduced to 2 s. each. By Section 42 no other ticket shall be of any avail, as proof of the status of old immigrants. The Portrait ticket.

"The Section 39 expressly states 'no fee shall be charged for any such portrait ticket,' but no provision was made for replacing it, in the event of its being lost or destroyed. Accordingly, the regulations by the Executive Council originally issued in May 1868, provided that the Protector might grant a duplicate for which the price of 1 *l.* is now charged, and 2 *s.* additional for the photograph. By Article 84 of the regulations, when the loss of the original document has been satisfactorily explained to him, the Protector has the power to exempt the applicant from payment, and he may also exempt infirm and destitute immigrants from this and other charges. The duplicate.

"When

* The cost of a back passage is something under 4 *l.*

† Yet even here, besides having to pay 2*s.* for a passport, the immigrant is, according to Mr. Beyts, liable to be plundered by unauthorised crimps and touts.

‡ Yet the preface to a collection of the labour laws of Mauritius, published with the *imprimatur* of the Colonial Government in 1869, is bold enough to say that immigrants electing, on the expiry of their industrial residence, to remain in the colony, "enjoy the same rights as the rest of the population."

§ This applies also to immigrants adopting the second of our three courses But upon his re-engaging he obtains a certificate of engagement which exempts him from the further annoyances now to be detailed.

Permit to work.

"When an application for a duplicate ticket is made, the name of the applicant is advertised in the Government Gazette for one month, and during this period he must take out a 'permit to work,' for which a fee of 5 *s.* is charged.

"Should the immigrant not return within three days of the expiry of the permit, he may be imprisoned for 14 days. Any one employing an immigrant beyond the time specified in the permit is liable to a fine of not less than 1 *l.* and not exceeding 5 *l.* (Article 70, Regulations).

Penalty for not exhibiting portrait ticket.

"Article 58 of the Regulations provides that any immigrant not under contract of service who fails to exhibit his portrait ticket on demand to any officer or constable of police, shall be liable to a fine of 2 *l.*, or to imprisonment for a period not exceeding seven days, without prejudice to any further punishment to which he may be liable for vagrancy or otherwise. No such penalty or offence are provided for by the Ordinance itself, nor were they included in the first or second editions of the Regulations issued in May and November 1868. They were first enacted by amended Regulations issued in August 1869.

The Police pass.

"By Section 43 of the Ordinance every old immigrant not under engagement by written contract of service, must have a police pass in addition to his portrait ticket, the counterpart of which is to be kept on record at the central police station of the district.

"The Ordinance requires a simple declaration by the applicant of his abode, occupation, or other means of subsistence, upon which the pass might issue; but Regulation 41 places the duty on the officer authorised to issue the pass, to ascertain whether the statements made are true. It also empowers him to decide whether the occupation of the applicant is such as to warrant the issue of the pass; should he not be satisfied, he may send the applicant before the stipendiary magistrate, who, in his turn, may convict the applicant as a vagrant if he finds he has no fixed residence or *bonâ fide* occupation or means of subsistence.

Time allowed for obtaining pass.

"By the Ordinance, Section 43, the declaration with a view of obtaining the pass, must be made within eight days of the immigrant's completing his industrial residence, or of the expiry of a written contract, unless he should re-engage under written contract within the eight days. By Article 42 of the Regulations, the Protector, any stipendiary magistrate, superintendent, adjutant, or inspector of police, may extend the delay, such extension not to exceed 15 days. It was not clearly stated whether the 15 days were to be inclusive or exclusive of the original eight, and in practice the stipendiary magistrates have taken different views. No further delay shall be granted, unless in exceptional cases, in which sickness or other good reason be shown for a further extension.

Duplicate pass.

"A duplicate pass may, under Article 48 of the Regulations, be issued in room of a lost pass on payment of a fee of 2 *s.* for the first, and 4 *s.* for all the subsequent renewals. The stipendiary magistrate may exempt from the payments by granting an exemption order.

New pass.

"The Ordinance (Section 44) requires a new pass to be taken out on change of residence, Regulations (Article 43) and the words 'or occupation.' The Ordinance contained no penalty, should the declaration on change of residence not be made; but the Regulations enacted that in default of reporting his change of residence or occupation at the police office, the immigrant should be liable to a fine not exceeding 2 *l.*, or to imprisonment not exceeding seven days.

Penalty for not exhibiting pass, or obtaining engagement.

"By Section 46 of the Ordinance, any old immigrant not being engaged under written contract, who should fail on demand of any magistrate, or the police, to produce his pass, was liable to be detained and forwarded to the Immigration Depôt for inquiries, to ascertain whether he was a vagrant or not. This provision, and others which follow, containing directions as to the disposal of the immigrant in the depôt, have been practically set aside by the stipendiary magistrates in virtue of the second paragraph of Regulation 42, which provides that any old immigrant, who, within the eight days, or any extended period, shall fail to re-engage under written contract, or to obtain a police pass, shall, if unable to give a satisfactory reason for such failure, be liable to a fine not exceeding 2 *l.*, or to imprisonment for a period not exceeding seven days, without prejudice to any further punishment to which he may be liable for vagrancy or otherwise.*

Special provisions affecting passes of day labourers.

"The provisions to which we are about to refer, are not contained in the Ordinance, nor, as far as we can see, warranted or suggested by anything contained in the Ordinance. Nor were they contained in the first set of Regulations issued in May 1868. They first appeared in Articles 54 and 55 of the amended Regulations published on 11th November 1868, and were still further amended and made more stringent by Articles 56, 57, 58, and

59

* What constitutes vagrancy is very obscure. According to the Acting Procureur General the labourer sentenced to imprisonment for breach of contract becomes, on the expiry of his term, a vagrant in the eye of the law, and a superintendent of police deposes to the effect that he arrests as vagrants men found sleeping in the streets, without other evidence.

59 of the amended regulations now in force, issued in September 1869. Under these clauses, no police pass shall be given to any old immigrant who declares that he lives on daily labour, or on the proceeds of job work, unless he shall first procure from the chief clerk of the senior stipendiary magistrate's office, Port Louis, or the district cashier in the country, a license, for which the immigrant had at first to pay 4 *s.*, but now, under amended regulations of 25th August 1869, 1 *l.* per annum.

Penalty for not exhibiting day labourer's license.

"The license must be exhibited on demand to any officer or constable of police, or to any inspector of licenses, under a penalty not exceeding 2 *l.*, and the day labourer who does not renew his license at the expiration thereof, is liable to a similar fine; if the fine be not paid, imprisonment is the result. The day labourer is also obliged to wear a badge on his arm, with the word 'job-man,' and the number of his license upon it.

Protector to fix number of day-labourers and thei wages.

"Under the Articles of the regulations already quoted, the Protector of Immigrants is required, with the approval of the Governor, to regulate from time to time, and according to the requirements of the locality, the maximum number of licenses to be issued in each district, and to draw up from time to time a tariff of wages to be published with the approval of the Governor. No such tariff has been issued.

Penalty for non-fulfilment of regul tions regarding day-labourers.

"Under Article 59 of the regulations, the day labourer convicted of contravening any of these regulations, is liable to a fine not exceeding 2 *l.*, or imprisonment not exceeding seven days.

Certificate of engag ment

"On engaging under written contract of service, the old immigrant, equally with the new, must give up his ticket to the employer, and receives in return a certificate of engagement from the stipendiary magistrate. The certificate of engagement must be produced on the demand of any magistrate, or the police, in lieu of the portrait ticket and pass which are required when the old immigrant is not under written contract of service (Section 46 of Ordinance). In practice, also, by the construction which is put on Sections 49 and 50, if he has not a written permission from his employer, he is arrested. No contract of service can be entered into before a stipendiary magistrate, unless the old immigrant produces his portrait ticket and pass.

Certificate of discharge.

"On completion of the contract, the employer is bound to hand over to the old immigrant his ticket, with a certificate of discharge from his engagement (Section 6, ordinance 1867).

Miscellaneous papers.

"The old immigrant must, at various stages, be provided with other documents, upon which it is unnecessary to dwell. In the tariff annexed to the regulations, we find such entries as these: 'For every pass, duplicate pass, or permit, issued by Protector, 5 *s.*; for every passport (when about to embark), 2 *s.* For every certificate of marriage, 1 *s.*; for every duplicate of certificate of engagement, 1 *s.*; for every duplicate certificate of discharge, 2 *s.*; for every search in book or record, 6 *d.*

Immigrant to be arrested without warrant if out of district.

"By the 48th section of the Ordinance it was provided that any immigrant found in a district where he had no residence, or in any house or premises, and being unable to give a satisfactory reason for his being there, might be arrested without warrant, and brought before the stipendiary magistrate of the district in which he should be found, who has the power to forward him to the immigration depôt for inquiries. No provision was made for the immigrant making a *bonâ fide* change of residence. The regulations, Articles 44 and 45, permit this, on notice being given to the inspector of police, who signs acknowledgment of notice on pass, and a new pass may then be granted in new district. The penalty for not giving notice (imposed by authority of regulations alone) is a fine not exceeding 4 *l.*, or imprisonment not exceeding 14 days.

Temporary visit other districts allowed by Inspector of Police

"By the provisions of the Ordinance, a hawker could not pass the boundary of the district in which he resided, even for the purposes of his trade, nor could an immigrant visit a friend who lived in another district. Article 45 of the regulations authorises the inspector of police, on the application of any old immigrant, to endorse permission on his police pass, the endorsement to be as effectual in the district mentioned in the permission for the period specified, as if the pass had been specially issued for such district. Under colour of this clause, permissions are now issued to hawkers for three or six months to visit other districts, and even for the whole island. The innovation is convenient, but its legality may be doubted. The obligation upon an immigrant, not a hawker, to obtain the permission of the inspector before he can proceed to another district for a temporary purpose remains in force.

Premises where immigrant resid or is employed, be entered at ar time of day or n

"By Section 55 of the Ordinance, any officer or constable of police, or any other person authorised by the Governor may, at any time of the day or at any time of the night, under warrant of a stipendiary or district magistrate, enter any premises where any immigrant is employed or resides, to ascertain whether the immigrant is under contract of service, or has his ticket and police pass, and in case the person so entering is not satisfied with regard to the status of such immigrant, he may arrest him and bring him before the stipendiary magistrate. Under this Section and Section 48 have occurred what were termed by the police 'vagrant hunts,' to which we shall have to refer when we come to consider the special cases and practical operation of the law.

When condemr as a vagrant.

"The Ordinance 31 of 1867 provided new definitions for vagrancy, in Section 46, viz., that the old immigrant shall be deemed to be a vagrant if, upon the result of inquiries made at the immigration depôt, it shall appear that he is not following any *bonâ fide* employment, whether on his own account or in the service of a third party, and that he has no visible means of subsistence. The vagrant laws of the colony, however, were

enacted

enacted previous to this Ordinance, viz., 42 of 1844, and 4 of 1864, and these were not repealed by 31 of 1867. The stipendiary magistrates usually condemn to the punishment of vagrancy without sending the immigrant to the immigration depôt, as required in Section 46 of 31 of 1867, when the immigrant has no pass, and by Section 48 when he is found in a district where he has no residence.

he punishment of agrancy.

"By Section 13 of 4 of 1864, a vagrant may be condemned to 28 days' imprisonment; hard labour is added by the stipendiary magistrates. The vagrant, after two or more previous convictions in two years, may, under Section 13, be sentenced to not less than six or more than nine months' imprisonment. The imprisonment is undergone either in the prison of the district or in the vagrant depôts instituted by Ordinance 4 of 1846, especially the central depôt at Grand River.

hreemonths'detenion at vagrant depôt fter imprisonment ompleted.

"The Ordinance 4 of 1864, and the regulations issued by the executive Council of 4th August 1864, authorise the depôt sergeant major, should he not be able to ascertain the employer of any unclaimed vagrant, at the termination of the term of imprisonment, to employ the vagrant at public works for three months longer, and then to forward him to the Protector of Immigrants for allotments to a new master, unless it should be proved he was under an unexpired contract. The best comment we can make on this provision is that, although carried out previous to 1867, the present superintendent has declined the responsibility of applying it.

fter punishment as vagrant.

"The vagrant after his punishment, if he be not under contract, is sent to the Protector of Immigrants, whose duty it is to provide him with employment. The Protector has informed us that he has no difficulty in providing such employment, and generally places them under yearly engagements, but occasionally for two or three years.

ublication of the ames of vagrants.

"By Section 14 of 4 of 1864, it was provided that the names and descriptions of all persons undergoing punishment for vagrancy should be published, but this has never been done except in the case of deserters, probably owing to the numbers constantly under punishment.

oint committals for agrancy in a single arrant.

"By the regulations, Articles 87 and 88, it was provided that when several persons shall be convicted of vagrancy on the same day, the magistrate convicting them may commit them to prison through a single warrant, although the terms of imprisonment to which they have been sentenced be different; and that in every case where several persons shall be sentenced to imprisonment (not for vagrancy) under the same judgment, their committals may be ordered by the magistrate through a single warrant, although the grounds of their committals and the terms of the sentences be different. These provisions were apparently to save trouble and labour to the magistrate and his clerks, when vagrants and other prisoners were to be disposed of in bands.

nequal incidence the law.

"The persons subject to the portrait ticket and pass laws which we have described, are the Indian immigrants who have completed their industrial residence, and who have preferred either to work as their own masters, or upon monthly engagements, which require no written contract, or as day labourers. Of the 29,000 Indians of this description who took out passes in 1868-69, we find that 15,000 were gardeners, *i.e.*, market-gardeners, hawkers, and servants; and 9,700 were monthly and daily labourers. So long as the old immigrant continues to labour on the sugar estates under written engagement, or contracts a written engagement with any master whatever, he requires only to carry his certificate of engagement, and neither portrait-ticket nor police pass. The number of old immigrants (adult males) employed by proprietors of sugar estates in 1870 was 54,383, or about double the number of those who are their own masters, or who work by the day or month.

"The Creoles of the colony, the ex-slaves and their descendants, the natives of Madagascar or the African coast, the aliens of every description, and the Indians, Chinese, Arabs, and others who arrive as passengers, are equally with the Europeans free from the obligations of the pass laws; and an Indian immigrant may free himself from these obligations by taking passage to the neighbouring island of Réunion and returning thence as a passenger. The sons of old immigrants, if they have been born in the colony, require no pass, while the fathers may remain under the obligation. The class of Indian Creoles and Indian passengers is daily augmenting in numbers, and the difficulty, if not impossibility, of distinguishing between these men who are not bound to carry any papers whatever, and the old immigrant who is liable to arrest if his papers are not on his person, is obvious.

"The inequality is especially marked in the case of day and job labourers. A negro and an Indian may live in neighbouring huts; the negro is entitled to work when and how he pleases; the Indian must pay a license duty of 1 *l.* per annum, and get a pass before he is permitted to work at all, and failing the renewal of his pass he is sent to prison."

Harsh as these restrictions were in theory, they were made still more so by the way in which they were enforced both by the magistrate and the police. For instance, the intention of the Ordinance was that the non-possession of a pass should not be treated as an offence punishable in the first instance, but as sufficient *primâ facie* evidence to warrant the police in detaining an immigrant, and the stipendiary magistrate in forwarding him for inquiries to the Protector. But this intention was completely over-ridden by executive regulations of more than doubtful legality; and either the immigrant without a pass has been punished by the magistrate, or the absence of a pass has been taken as a proof of vagrancy, and the immigrant condemned as such. The police, too, abused the already excessive powers given them by law, and a practice arose "of having 'vagrant hunts,' when

vagrant hunts!!

when all the disposable force of the police was employed to scour several districts of country, and to take into custody every Indian, whether at work, or in his house, or passing about his avocations on the highway, whose papers were not *en règle*, or might be imagined to be not *en règle* by some policeman who could not read, or whose papers might have been in a moment of unsuspected security left behind in his hut."

The result of this relentless pursuit of the factitious crime of vagrancy is thus exhibited for the year 1869:—

Number Arrested.	Condemned with Hard Labour.	Fined.	Reformatory.	Transferred to District.	Sent to Depôt.	Sent to Masters.	Discharged.
30,824	12,538	2,070	150	3,615	2,450	3,132	6,869

I must extract the comments of the Police Inquiry Commission upon these figures:—

"It will be seen that of the number captured, about one-fourth were either immediately set at liberty, or discharged by the stipendiary magistrates, on being taken before them. The first result of the system, as worked out thus, was that nearly 7,000 persons in one year were arrested as vagrants, who ought not to have been so arrested. But to these must be added 3,615, who are entered as transferred to the districts. If they had been ultimately punished, they would have come under the three heads of punishment; they had been transferred for inquiries, and the result had been found to be satisfactory. We may assume, also, that in the case of the 2,450 sent to the depôt, the offence of vagrancy had not been proved, or they would assuredly have been punished. Some of them may have been deserters whose masters were not discovered by the police or the stipendiary magistrate, but at least we may assume that 1,800 of them were sent because of some trifling defect in their papers, or because of sickness, reasons apart from absolute vagrancy. This result gives us 12,284 persons of the gross total, who cannot in any sense be regarded as vagrants requiring extraordinary means to be adopted for their punishment. Of the 3,132 sent to their masters, we say nothing here, as we are not dealing with the question affecting engaged labourers. Of the 14,758 remaining, we have no doubt that several thousands were punished as vagrants, because they were unacquainted with the requirements of the law of 1867. In 1869 the number who had taken out police passes was 29,000, and in 1871, 36,000." And further on in their report, the Commission remark:—

"We fear also that immigrants may be deemed to be vagrants upon very insufficient grounds. The stipendiary magistrates do not generally enter in their books the grounds upon which men are held to be vagrants, consequently little information of this description is laid before the Procureur General in the weekly returns; nor could we find out what was deemed to be vagrancy in any satisfactory manner. *But there seems to be, in the minds of many of the officials, a distrust of the genuineness of any employment which an Indian may adopt on his own account.*" In the face of such a law, administered in such a spirit, it is no wonder that the number of vagrants arrested diminished from 30,824 in 1869 to 14,884 in 1871. But it is just to add that the decrease is also, in the opinion of the Commission, attributable to "orders issued to the police force, admitting greater latitude to hawkers to circulate from district to district; to the abolition of the right of the police to half the money obtained by fines; and above all to a better spirit which pervades the administration, and which has been imparted to the police; and to the directions given by Sir Arthur Gordon as to the spirit in which the laws are to be administered."

That the effect of the law* has been to drive the immigrant to re-engage is manifest. The following figures are given of engagements contracted in 1870:—

	With new Masters.	With old Masters.	TOTAL.
Indian immigrants { New - -	433	4,504	4,937
Indian immigrants { Old - - -	29,215	38,987	68,202
Other registered immigrants - -	333	445	778
Creoles - - - - - -	1,480	1,524	3,004
TOTAL - - -	31,461	45,460	76,921

The

* Nor do managers seem always to have trusted solely to the law. Mr. Frere, President of the Commission, thus states a case which came to the Commissioners' knowledge. A band of men whose time was about to expire seemed indisposed to re-engage. A hawker in the neighbourhood had his house broken open; the band were taken up and some of the goods were found in their possession. The manager of the estate bailed them and afterwards re-engaged the band. "Either the whole transaction was a plan to put pressure on the men, so as to make them re-engage, or he had no objection to engage as his servants a band of burglars."

The Creoles here entered are *Indian* Creoles, who are said to be taking, in increased numbers, to the avocation of labourers on sugar estates.

The accounts of the general prosperity attained by Indians emigrating to Mauritius, and of their moral status, are very meagre. The criminal statistics afford the following figures. There were of Indians convicted at the assizes:—

In 1866	134
„ 1867	77
„ 1868	95
„ 1869	58
„ 1870	59

The crimes were for the most part murders, manslaughters, woundings, and larcenies with aggravating circumstances. I suppose this last class includes the "gang-robberies" of which such a bugbear was made in 1867, but which do not seem to have really been very serious either in number or atrocity. They are said to be mostly due to *Madrasee* immigrants. The number of persons convicted by criminal courts of all grades in 1870 was as follows:—

Indians	6,554
Others	1,415

Thus of Indians 3·1 in every hundred was convicted of a criminal offence, and 1·4 in every hundred of the rest of the population. But I rather think that offences against the labour laws, except vagrancy, have been included in these figures.

I find the following facts as to deposits in savings banks:—

	£.
Deposits made in 1864	29,000
„ „ 1869	22,000
„ „ 1870	21,716

The total deposits at the end of 1870 were upwards of 70,000 *l.*, of which more than half belonged to agricultural labourers. At the end of 1871 the deposits had risen to 82,909 *l.* Remittances to India in 1870 made through the Immigration Office amounted to 20,528 rupees, and about the same sum in 1871. Education does not appear to be much attended to. In 1869 there were 24 schools, with an attendance of 753 scholars. Little progress was therefore visible since 1864, when the figures were as follows:—

	Boys.	Girls.	Total.
14 Government schools	386	42	428
11 Aided „	230	67	297
25 Schools in all	616	109	725

And it is manifest that after full allowance made for the abnormal proportion of adults and of males in the immigrant population, the number of children under instruction is very low for a total sum of 200,000 souls.

Recently attention has been called to the number of suicides. The following figures were given:—

Suicides.

	1868.	1869.	1870.
Of Indians	61	89	59
Of others	3	1	8

Of the 59 Indians who put an end to themselves in 1870, 56 were men and 3 women. Inquiries were set on foot to ascertain whether the proportion was much in excess of the number of suicides in India. The Government of Bengal estimated the proportion of suicides at about 40 for every million of population, and the Government of Madras at about 50, either rate being lower than in England. It was generally agreed that the proportion of suicides was greatest amongst the lowest classes, and that the number of women who resorted to self-destruction in India greatly exceeded that of men. The ratio of deaths by suicide in Mauritius is thus estimated by Mr. Beyts:—Of Indians 280 per million

million of population, of others 67 per million. Some subsequent inquiries were made under the orders of Sir A. Gordon. The figures were not quite trustworthy, but they went to show that for the 10 years, 1861-70, there had been about 60 suicides a year on an average. The great majority were suicides of men, and men engaged on estates. Sir A. Gordon did not believe jealousy had much to do with it, as the proportion of suicides seemed rather to increase with the augmented population of women. He rather attributed the prevalence of suicide to an intense nostalgia. But this does not explain why suicide should be most prevalent in Mauritius. The very marked preponderance of suicides of males, contrasting with the reverse as occurring in India, is also unexplained by Sir A. Gordon's theory, as women are, I presume, at least as liable to "home-sickness" as men.

There is not much to illustrate the relations of the sexes. Women, as a rule, do not seem to work on the estates as in the West Indian Colonies. In fact, according to the report for 1869, only 993 women were so employed. Women are not allowed rations. It appears that a premium was given for the importation of every married woman, and immigrants used sometimes to bring two or three wives each. Mr. Beyts condemns this practice on the ground that a new immigrant *cannot support more than one wife*. It may be inferred from the stringency of the law that the difficulties familiar to other Colonies arising out of the low proportion of women are not unknown in Mauritius. Any one enticing away or harbouring the wife of an Indian is liable to imprisonment for six months, or a fine of 50 *l*. As in the West Indies, so in Mauritius, *liaisons* between Indians and negro creoles are very rare; not so in regard to the Chinese immigrants. The disproportion between the sexes in the Indian population is gradually diminishing. Thus in 1840 the women were only 5 per cent. of the men. In 1850 the proportion had risen to 21 per cent., in 1860 to 40 per cent.; and in 1870 to a little above 50 per cent. The causes are (1) births in the colony, for the figures include all of *Indian extraction*; (2) the higher rate of mortality among men (is this due to the fact that women do not work in the field?); (3) the excessive proportion of male departures. It is worth noticing that the excess of male *births* which is inferred from census returns in India is proved by registration in Mauritius to occur among the Indian population there.

It has been seen how far the law is from holding out any inducements to Indians who have served their period of industrial residence to settle down as independent citizens in Mauritius. Nevertheless, a considerable number do try their chance, as artisans, market-gardeners, and petty tradesmen. Many set up as "job-contractors," *i.e.*, contractors for the supply of labour by the job, and the want of solvency or of honesty on the part of these men often involves in hardship those of their compatriots who enlist in their service. The number of labourers under job-contractors appears on the increase, having risen from 3,929 in 1868 to 5,691 in 1871. A few Indians seem to have attained the position of managers and even of owners of estates.

BRITISH GUIANA.

THE Colony of British Guiana lies along the north coast of South America facing the Atlantic, and stretching from 57° to 61° west longitude. Inland it runs southward to the Sierra Acarai, which forms the watershed between the river-system draining northward into the Atlantic and the southward-flowing affluents of the Amazon. A rich alluvial belt of a varying breadth, but not generally exceeding six miles, skirts the sea. This is succeeded by a narrow reef of sand, representing an old coast line; behind this, at a distance varying from 10 to 20 miles, runs a second higher range of sand hills, doubtless a still older beach. The tract between these two reefs becomes in the wet season an extensive savannah, the decaying vegetation of which produces a vegetable mould of considerable thickness. Behind the second reef, the land rises from swampy plains to the mountain chains of the interior. In these are the sources of the rivers Essequibo, Demerara, Berbice, and Corentyn, which now traverse, after having in past years created, the alluvial tract, to which and to the banks of the rivers in their lower course, including part of the islands of the Essequibo, cultivation is entirely confined. That cultivation consists almost exclusively of sugar-cane. Cotton and coffee were once grown, but seem to have dropped out of the list of exports. The climate, though hot, does not seem unhealthy. The year is divided into two wet and two dry seasons. The long rainy season sets in about the middle of April, with westerly winds, and lasts till August. The dry season then supervenes and continues till November. December and January constitute the short wet season, and February and March the short dry season. But the air in the dry season is loaded with unprecipitated moisture, the wind blowing from the Atlantic. The temperature seldom falls below 75° or rises above 90° Fahrenheit. The mean annual temperature of the capital, Georgetown, is 81°; the average annual rainfall, 100 inches.

I have no recent figures of general population.* The census of 1851 gave the following figures:—

Natives of British Guiana - - - - - - -	86,451
Natives of Barbadoes - - - - - - - -	4,925
Natives of other West India Islands - - -	4,353
African Immigrants - - - - - - - -	14,251
Maderians - - - - - - - - - -	7,920
British, Dutch, and Americans - - - - - -	2,088
Coolies from India - - - - - - - -	7,682
Unknown - - - - - - - - - -	17
	127,687

The first heading includes 2,000 aboriginals. The population at the time of the census was thus mainly of African decent, liberti or the children of liberti, with a small proportion of immigrants from Africa. The number of coolies has since greatly increased, and an infusion of Chinese has taken place, but I have not been able to ascertain the present number of the other elements.

The country seems to have been first settled by the Dutch in 1580. The English succeeded about 50 years afterwards. The Dutch, however, continued to occupy the greater portion of the tract till 1796, when it surrendered to the English. It was restored in 1802, but again became a British possession in the following year, and has remained so ever since. In 1831 the three settlements of Demerara, Berbice, and Essequibo were amalgamated into one colony.

The constitution of British Guiana still retains traces of its Dutch origin. It is thus briefly described by Mr. Jenkins, author of "The Coolie" (*see* pages 77 and 83 of that book): "The Governor, as Her Majesty's representative, is the embodiment of executive power. The Legislature, called the Court of Policy, consists of 10 persons. Five are Government officials, *viz.*, the Governor, the Attorney General, the Government Secretary, the Receiver General, and the Auditor General. To procure the other five, resort is had to a college of elector. This is a relic of Dutch times, the College of 'Keysers,' and consists of seven persons elected *for life* by a constituency qualified by property. This qualification is an annual income of 125 *l.* Persons of every nationality and pursuit are included in the constituency. The total number of voters in 1865 was 907. Upon a vacancy in the Legislature, the college of electors send up two names to that court, which thereupon selects one to fill the post. The Court of Policy sits sometimes publicly, but may and does hold secret sessions. * * * In all financial matters the Court of Policy is assisted by a college of financial representatives, numbering six, elected in the same way as the Keysers, and holding office for two years. Thus the combined court, consisting of 16 members, has the important control of the revenue and taxation."

The rest of this section is mainly compiled from a note upon the British Guiana labour question, as discussed by the Commission of Inquiry, and in the subsequent correspondence. This method gives the section a somewhat fragmentary appearance, but has saved me a good deal of trouble.

History of Immigration.—The first idea was to import the surplus population of the West Indian Colonies, but every attempt to introduce negro labour, whether aboriginal or West Indian, has failed. In 1838 two ships arrived from Calcutta with about 400 immigrants, who had been brought over by private enterprise. In the same year the apprenticeship of the slaves was shortened, and a struggle commenced between the Colony and the Home Government as to the conditions of immigration; the planters, represented by the combined court, trying to retain the control in their own hands, a policy opposed by the Secretary of State. Ultimately an immigration from Sierra Leone conducted in State vessels began. Private efforts were also made, and Portuguese were introduced from Madeira and Brazil. But from one cause or another all these sources failed. In 1844, preparations were made for a Chinese and Indian immigration, and in the seasons 1844–45, and 1845–46, 4,616 persons were imported from India. This was accompanied by a renewal of the Portuguese immigration. Great mortality broke out, the ranks of the immigrants were literally decimated in the process of acclimatisation, and immigration from India was for the time stopped, partly on this account and partly as a result of the conflict waging between the colonists and the Colonial Office. In 1851, however, aided by a loan, the planters were enabled to resume operations, and the numbers of immigrants in the four periods, 1851–55, 1856–60, 1861–65, and 1866–70, were respectively about 9,000, 14,000, 18,000, and 24,000, of whom in the total period about 7,000 returned to India.

Financial

* I gather, however, from certain Despatches of Governor Scott's, that the census of 1871 showed a total population of about 200,000. He speaks in round numbers of "50,000 Asiatics, one-fourth of the whole population of the colony." I glean the following more exact figures of the Indian population at that date; total 48,362, of whom 23,940 under indentures, 8,823 working not under indenture but on plantations, the rest in towns and villages.

Financial Review of Immigration.—Up to 1849 there had been spent 155,000 *l.* of borrowed money, and 223,000 *l.* contributed from the general revenue. For the period 1850–62, the nett cost to the Colony amounted to upwards of half-a-million, or about 40,000 *l.* per annum. At the close of this period the immigration fund was constituted. An aggregate is formed by adding the expenses of the immigration in the Colony and the agencies abroad; of recruiting, transport, and maintenance; of return passages, and of bounties paid to labourers re-engaging when they might claim a return passage; and one-third of this total is defrayed out of the general revenue. Another sum, consisting of the duties levied on estates' supplies, is also handed over to the fund, and the rest is paid in the form of a contract duty on allotments, special duties on re-indentures, and insignificant fees levied from coolies, and the paper item of bounties paid to re-engaging labourers. The Commissioners condemn the indirect way by which the contribution of the Colony is increased by one-third of the bounty-money, the amount of which third stood at upwards of 6,000 *l.* in 1870. On the other hand, they regret the alienation to other purposes of the duties on estates' supplies. Certain charges properly due to emigration are also charged direct to the Colony. These are the salary and travelling allowances of the medical inspector, certain repairs of the emigration office, and the expenditure in district jails in carrying out the experiment of penal labour on estates. The Commission cannot estimate the cost to the Colony of immigration, but remark that "if the planters have not been the only class to profit by immigration, the general public has at all events paid a very large share of the expense."

The Immigration Office.—An immigration agent was first appointed in 1838, and in 1854 two sub-agents were added. In 1859 a medical inspector of estates' hospitals was appointed. He was placed in direct subordination to Government. The result of this arrangement the Commissioners believe to have been that the enforcement of the provisions of the law has been but lax. For instance, the medical inspector was charged with the inspection of labourers' dwellings; but he confined himself to reporting on their state of repair, and thus, the immigration agent considering himself relieved of all care of dwellings, the question of sufficiency of space was altogether neglected. In 1864 the commissaries of taxation, an office since amalgamated with that of inspector of police, were directed to enter and inspect the condition of yards and grounds around dwellings and hospitals. But this provision had remained a dead letter.

The duties of the agent, as laid down in a series of Ordinances up to 1864, consisted chiefly in the inspection of immigrants on arrival, their allotment and distribution,* inspection of estates, arrangements for re-indenture, commutation, and return passage, the maintenance of a complete register of all imported labourers, and the prosecution of inquiries into alleged cases of non-payment of wages or ill-usage, in which, moreover, he was empowered to lay information before a magistrate. This last provision, like too many of those of the Colonial Acts, was defeated by a legal quibble.

The powers of the agent, say the Commissioners, were, in fact, very extensive. He could not refuse an allotment, but he could say that to the governor which would inevitably have the same effect,† and his would be the initiative in all cases of resort to the extreme measure of entire withdrawal of all labourers from an estate. "Independently of the Governor, he had the whole administration in his hands, and he wielded the very formidable power of prosecuting for ill-usage of immigrants, which in itself involved a reflection on a manager scarcely inferior to a punishment." But the history of the office during the time of Sir F. Hincks, as recorded by the Commission, shews that Mr. Crosby was gradually deprived of all independence, all initiative, and reduced to the position of a mere head clerk. The course pursued by the late Governor the Commissioners pronounce to be "a grave administrative mistake." The present Governor has, to a certain extent, retraced the steps taken by his predecessor, but the Commissioners strongly insist on the necessity of putting the agent in a thoroughly independent and dignified position, with a seat in the Court of Policy.

Colonial Labour Law, Jurisdiction.—The first labour law was a code framed by Sir James Stephen, and embodied in an Order of Council of the 7th September 1838. This code gave the stipendiary magistrates appointed from England exclusive summary jurisdiction in cases arising out of contract of service, and no appeal was allowed, except for assumption of jurisdiction, or for illegality in the proceedings. Two stipendiary magistrates, and not more than one

* In allotment, children under 15 years of age are not to be separated from their parents and relatives; and even friends are, if possible, to be kept together. The allotment is made on board ship, the agent being assisted in his inspection by the health officer of the port. Upon allotment the agent causes the immigrants to execute an indenture. The indenture remains in the agent's office, a certificate of indenture being given to each immigrant, and a list of indentures to the employer. The indenture is in general terms binding to observance of the Ordinance. A duplicate certificate indenture can be had by the immigrant for 24 cents. Minors (*i. e.*, children from one to 15 years) are indentured with their parents, and both minors and infants are entitled to the "privileges, advantages, and immunities" of adults. But infants are not indentured; and minors under seven years of age, though indentured, cannot be called upon to perform service. No indenture can be cancelled, whether by mutual agreement or otherwise, except with the consent and sanction of the Governor.

† The Act of 1864 gives the Governor a general power to refuse to allot immigrants "in any case in which he shall see just cause" for so doing. Similarly, he may remove all or any immigrants "on just cause shown to his satisfaction." The case of an employer not providing sufficient work is specified in a separate clause as a ground for cancelment of indenture.

one justice of the peace, might hold a court of petty sessions. In 1846 this code was superseded, much against the wishes of the then Governor, and for 10 years ordinary justices of the peace remain vested with the same summary powers as stipendiary magistrates. In other words, the planters were made judges in their own or their fellow-planters' causes—a position, I am bound to say, they do not seem to have abused as much as might have been expected. In 1856 this iniquity was put an end to, and jurisdiction re-transferred to stipendiary magistrates, assisted by "Special Justices" to be appointed by the Governor. The powers of these sitting singly were limited to making an order for payment not exceeding $ 24, and to fines of the same amount, and to sentences of imprisonment not exceeding 30 days, with or without hard labour. In cases of a second conviction, they could award a fine of $ 50 and six months' imprisonment. These powers have been somewhat enlarged since 1856, especially by the various immigration ordinances. The stipendiary magistrates also have jurisdiction in cases of petty debt and petty damage. Ordinary justices can now only grant summonses to appear before a stipendiary or special justice, and issue warrants of arrest returnable before such a justice. The power of remanding is exercised by them, but it is doubtful whether legally.

An Ordinance of 1856 created an "inferior court of civil justice" (composed seemingly in the same manner as the "inferior criminal court," viz., one of the Colonial Judges sitting with not less than three ordinary justices as assessors). This Court could take cognisance of claims from $ 25 to $ 240. It was urged upon the Commissioners that the fees in this Court bore very heavily on poor men, and they consider the allegation to contain truth; but because the proportion of Asiatics appearing in the court was very small, they conclude that this is not "an immigrant's grievance." May not the deterrently high fees have had something to do with the absence of immigrants from the ranks of suitors?

The magistrates' decisions are made subject to review before a judge or judges of the Supreme Court sitting every Saturday. But there is no provision for re-hearing of evidence or reopening questions of fact. Counsel's fee, moreover, cannot be allowed in costs. The Commission trust "that steps will be not unwillingly taken to throw open to suitors the doors of the Court of Review." But by this recommendation they do not mean that the Court should be empowered to re-open questions of fact.

The inferior criminal court appears to the Commissioners at least anomalous. No distinction is made between the voice of the presiding judge and that of an assessor, and the "amateur judges" are three to one. Even viewed as a jury, the assessors should not be drawn from one class, and the Commissioners, therefore, urge a change in the constitution of this court.

Among the curiosities of Demerara legislation, the Commissioners notice "an odd clause," in a recent Ordinance, whereby an employer might select his magistrate in case of any complaint against a labourer. "An influential manager had happened to lay his charge against a deserter in the wrong court, and was cast accordingly. A clause was thereupon, in post haste, stuck into the Immigration Ordinance then before the Legislature to guard suitors against the effects of their own carelessness by the help of a device which might have worked the most intolerable oppression." The clause is said never to have been acted upon.

Colonial Labour Law (continued). *Duration of Contract.*—Sir J. Stephen's Code of 1838 limited the term of contracts in writing to one year, and that of verbal contracts to four weeks. Under the Ordinance of 1846, the first hiring of immigrants was to be held valid for six months, and no contract made outside the colony was to be for a longer term than three years, and all such were terminable after five months at the pleasure of the immigrant, provided he could pay the cost of his importation. In 1848 the Home Government conceded the point of an indenture for three years *certain*. The first immigration from India had taken place on the agreement that a return passage should be provided at the end of five years, or previously, on payment of a proportional part of the cost of introduction. The renewed immigration of 1850 began under the same condition as to repatriation, the indenture being now for three years. This term the planters desired to extend, but the Home Government would not then listen to the request. A plan was, however, sanctioned, under which certain monthly sums were deducted from those emigrants who would not consent, after the expiry of their first term of hiring to enter on a second. This device, however, proved "an egregious failure," having cost nearly $ 9,000 to extract some $ 600 from the coolies, and having "filled the prisons." In 1854 the Government of India agreed to extend the term of residence from 5 to 10 years. Under this plan a three years' indenture was supplemented by short indentures of one or two years, for which the immigrant might choose his employer. Bounty was given him if he accepted a second service after the expiry of five years, and after five years of industrial residence and five of residence not necessarily industrial, he became entitled to a return passage on payment of $ 35 for the whole second five years' period, or $ 12 for each year not spent in industrial employment. These sums, although their payment had been consented to by the Indian Government, had to be foregone, as they could not be regularly collected. In 1856 every immigrant entitled to a back-passage was offered a bounty of $ 50 for re-engagement. In 1862 a five years' indenture was established in all cases.

Indentures may be extended to cover the period of desertion or imprisonment, if any. The Commissioners object to the provision which makes the estate record of desertions and imprisonments evidence of such facts, and point out that no distinction is made between imprisonment before and after trial, and, in the case of imprisonment before trial, between cases compromised and cases followed by conviction. But though the law "savours

"savours of tyranny," the practice was not, as far as the Commissioners could ascertain, tyrannical. But they think the right of extension of indenture should be rarely exercised and strictly limited.

The most important piece of legislation for the last 10 years the Commissioners hold to be that which legalises any number of re-indentures for five years certain. This change, which was certainly contrary to the declared policy of the Colonial Office, seems to have passed unobserved either by the Home Government or by that of India. The remarks of the Commissioners on the whole tendency of this legislation deserve to be extracted in full. "The effect of later legislation has been to keep the immigrant population, as a whole, out of the labour market. It is true that no man is bound to indenture a second time; but care has been taken so to arrange the incidents of the system as to induce him with a very strong inducement to re-indenture. For this purpose the supervising duties of the Immigration Agents have been postponed to the offering of greater facilities for re-indenture. A harsh system of law has been kept up, not so much for use, as that condonation of offences under it might be bartered against re-indenture.

"The position of a free immigrant disposed to remain in the colony has not received that consideration from the Legislature which a new country, needing population, should have afforded to such an element; and the bounty—always a questionable means of inducement when employed to persuade those in a dependent position from claiming their independence—has been kept at a high rate, in order that the inducement might be sufficient.

"An indenture, as it seems to us, is justifiable, however contrary to English ideas, to insure payment by the immigrant for services rendered, that is, for his passage out, which payment, it seems, can be insured in no other way. It may be also defended on the ground of his helplessness on arrival in a new country; for, if a man must necessarily be dependent on others for the preservation of his health, there is no harm in recognising the fact by law.

"It would seem to be a concession that immigration, so far as the coolies are concerned, has failed to fulfil its first purposes if, after being acclimatised, after learning their work and paying for their passage out, they must still be brought under indenture after indenture, and not encouraged to take their station in the country as free labourers.

"The difficulties which attend any change in this respect we hope to deal with hereafter. In the meantime we desire to point out here that the Act of 1863, which passed almost unnoticed at the time, represents, if it did not cause, a great change in the aspect of the problem."

Review of the Labour Law (continued). *Work and Wages.*—The tendency of the whole system is towards task work. At present all field labour, properly so called, is carried on in this way, while the plan of work in the buildings, though it starts with a tariff of daily wages to each labourer according to the nature of his work, is practically modified by a rule for the general reduction of wages, unless a certain quantity of sugar is turned out. In task work it was ruled by the Ordinance of 1864 that an immigrant should be paid wages at the same rate as creole and other unindentured labourers working on the same estate; or, in case there were none such, or they should not be paid according to the average rate of wages for indentured labourers employed under similar circumstances on the neighbouring plantations, then at the same or the fair average rate of wages paid to such last-mentioned labourers on the neighbouring plantations. This rule, at once rude and complicated as it may seem, the Commissioners believe to be "not far out." To this provision was added one requiring every indentured immigrant to perform "five tasks" in every week. It was, however, often difficult to apply the standard of comparison, either from the absence of creole labourers or because they would not take up the same kind of work as performed by immigrants. The Immigration Department was not possessed of sufficient local knowledge to decide authoritatively in cases of disputed rates, and, in the absence of official valuers of labour, the practice arose of calling in arbitrators. This plan worked well for a time; but as the arbitrators called in were always planters, the labourer naturally came to lose confidence in a tribunal whose decision, moreover, was in no way legally binding on the manager.

It is unnecessary to follow the Commissioners through the maze of British Guiana legislation. Suffice it to say that at present the labourer has no summary remedy for the recovery of wages, except the civil one under the petty debt Ordinance, and no means of enforcing a penalty if wages have been wilfully or wantonly withheld. The civil remedy again is insufficient to meet cases where the dispute is as to the *rate* of wages, and some magistrates seem to doubt whether the law, having failed to provide any *procedure*, does not, if strictly interpreted, cut the immigrant off even from the imperfect remedy which the substantive law appears to provide. The Commissioners at paragraphs 379 and 380 of their report cite a case, the only one, of a dispute as to the rate of wages in which the immigrants were enabled to recover in the magistrate's court. They recovered about $5 with costs; but before this notable result was reached, there had been "two inquiries and one arbitration on the estate, several complaints from the coolies addressed to all manner of authorities, and a strike of more than a fortnight, during which the loss to the labourers must have been considerable, as well as to the estate."

The provisions for enforcing the performance of the other side of the contract by no means err in defect. Section 116 of the Ordinance No. 4, of 1864, ran as follows:—

"Any indentured immigrant who, without reasonable cause, shall neglect or refuse to attend

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attend at the daily calling over of the names of the immigrants on the muster roll, at the time and place hereinbefore mentioned; or shall neglect or refuse to begin the work required of him, or shall leave unfinished any work required to be performed by him, or shall neglect or refuse to finish any work required to be performed by him, or shall be absent from his work without leave, or shall be drunk while employed at any work, or shall use to his employer, or any overseer, or headman, or other person, placed by such employer in authority over him, any threatening, abusive, or insulting words or behaviour, or shall commit any nuisance upon, or in the immediate neighbourhood of any dam or public thoroughfare of the estate, shall, on being convicted thereof, be deemed guilty of an offence, shall pay a fine not exceeding 24 dollars, or be imprisoned with hard labour for any time not exceeding one month; and shall, in addition, if the convicting justice shall think fit, forfeit the whole or any part of the wages then due to him, not exceeding the wages of one week."

Owing, however, to the practice of not assigning a definite work to each labourer, a custom grew up of preferring charges for "not performing five tasks." But Chief Justice Beaumont ruled, on grounds of a most technical kind,* that such charges could not be maintained, and the "language used in giving this sentence was so sweeping that it became the impression among the planters that no conviction for non-performance of task work would, under any circumstances, be sustained in review." An ordinance was passed, "under circumstances of hurry and excitement," to remedy this defect, and the "task" was defined to be "a shilling's worth of work," the former estimate of a creole's day's work having been the worth of a guilder, or 1 *s.* 4 *d.* This enactment is considered by some to have lowered wages virtually in proportion to the diminution of the prescribed task. But in this view the Commissioners do not concur.

Another blot in the law of 1868 is, that instead of allowing the convicting magistrate the option of declaring the labourer to have forfeited the whole or a part of wages due, it lays down that if the work neglected has been finished by other hands, the defaulting labourer shall not be entitled to receive any payment for his bad or unfinished work. This point will be further considered in connection with the subject of stoppages. Again, the Commissioners justly object to that provision of the Ordinance of 1868, which allows the Government to authorise managers to substitute for the public roll-call the private notebook of the overseer as a record of presence at, or absence from, work. Other sections of the Ordinances of 1864 and 1868 also, in the opinion of the Commissioners, "contain grave legislative blots."

The Sugar Estate and Staff.—The number of sugar plantations in the colony is 153, forming practically 136 estates. On 123 plantations there are indentured immigrants,† and on one plantain estate. On only 14 or 15 is a proprietor or part-proprietor resident. Eighty-five are entirely owned by persons not resident in the colony. Some 40 of those 85, and these the "largest, finest, and best cultivated" estates, are owned by the great sugar houses of London, Liverpool, and Bristol. These also hold mortgages, though it is not known to what extent, over some of the remainder, and the general tendency of the industry is to become a purely commercial speculation, with nothing of the patriarchal and almost aristocratic tone of the old, the slave-holding planter. The manager then fills the most important place, and his duties and qualifications as farmer, manufacturer, trader, and employer of labour, are graphically described by the Commissioners. The manager is responsible, if the proprietor be non-resident, to the latter's attorney, who is generally a resident of Georgetown or New Amsterdam, either a partner in the colonial branch of one of the houses engaged in the sugar trade, or else exclusively devoted to the business of attorneyship. By the constitution of the colony he holds the owner's proxy and votes on his behalf in the elections for the College of Kiesers (or Choosers), who again elect the non-official members of the Court of Policy, or Legislative Body.

There is thus a division of responsibility injurious to the labourer. But even to enforce the responsibility so divided, the present machinery is cumbrous. "In default of any initiative in the Immigration Office," there remains only "the personal action of the Governor." But neither he, nor any court of law or other authority, "can declare an indenture cancelled, and the indenture fee forfeited, however flagrant the misconduct brought to light." The weapons of the executive are (1) the power to refuse an allotment of labourers, (2) the power to withdraw all labourers. But these are too ponderous, and even the first has rarely been brought into play. The appointment of deputy managers and changes in the managership are noticed by the Commissioners as tending to lessen the concentration of responsibility.

"The manager," write the Commissioners, "decides what work is to be done on the estates, and distributes it among the various labour gangs, with their several drivers or foremen. There will be, perhaps a task-gang of negroes engaged in digging or deepening a trench; others of the same or of Chinese delving the soil, either with shovel or fork, round the cane stumps, clearing out the small drains, or drilling; others again, chiefly of the more weakly coolies, and all the women who can be got into the field, weeding and filling up the mould among the young canes, or weeding among the high canes, and tearing down the 'trash' from their stems. If the buildings are at work, a proportion of the

* Mr. Jenkins, himself a lawyer, calls the decision "a fine stretch of technical art."—("The Coolie," page 258.)

† On few estates are there less than 300 coolies, while some employ numbers varying from 400 to 1,000.

the hands must be withdrawn from field labour for that purpose. It is the manager's business to arrange the various gangs who attend the different parts of the machinery; and, in many cases, a good manager will spend much of the day in the boiling-house during crop-time. It is very important that he should be present at the pay table on Saturday; managers who are not above paying the wages themselves are far less troubled with disputes afterwards.

"In private life the manager, wielding all the resources of an estate, in a country consisting solely of estates and negro villages, is of course a very influential person. About one-third of the justices of the peace are resident managers of estates, and in many parts of the country the functions still left attached to that office have to be performed exclusively by them." One of these functions is that of coroner. There is nothing in the law to prevent a planter sitting as coroner at an inquest upon one of his own coolies. Common decency, however, has prevented this. But the Commissioners rightly object to an inquest held by a neighbouring planter with a jury of the employés of the estate on which the death which forms the subject of investigation, has taken place.

The Commissioners think that assaults* by managers upon immigrants are rare, and that there is a wholesome progress of opinion among the majority, which acts as a check upon the evil disposed minority. At the same time they quote some cases, one sufficiently gross, which undoubtedly "show that it is inexcusable, either in the Government or the authorities of estates, to relax as yet their utmost vigilance in securing protection for the indentured immigrants."

"In regard to pecuniary dealings with immigrants," the Commissioners "notice with pleasure Mr. Sheriff Fraser's emphatic declaration, that in the whole course of his experience he never knew a manager attempt to cheat an immigrant. In our researches we have noticed here and there an excessive indulgence in the practice of arbitrary stoppages, and some scattered instances on the estates where the practice did not seem so common, of which no satisfactory explanation was afforded us. We have read accounts of several investigations of complaints made in respect of wages, in which the conduct of the manager indicated a disposition, to say the least, to make the money go further than was fair. On the other hand, we notice the unanimous testimony of magistrates and immigration agents to the readiness of managers to pay any higher rate of wages than that complained of, if found to be due by a competent arbitrator or other authority. From this we have found but one exception, which also ranked worst among the cases of insufficient wages, that, namely, at Waterloo, which we shall quote hereafter.

"The overseers are the subaltern officers of the management," and are mostly young Scotchmen, looking forward to be themselves some day managers. "They have generally had fair opportunities of education, and are expected, except here and there under a manager who prides himself unwisely in belonging to the 'old school,' to maintain the position of gentlemen, and observe the rules of polite society. * * * The duties of the office involve the seeing in person to the performance of all work which is likely to be scamped, from getting up at four to see horses fed, to staying up till four to see the last copper 'boiled off.' The greater part of the day, except with the overseer, whose place or turn it is to watch the sugar manufactory, is spent in the field. They have to go from field to field and take down the work, marking the quantities done by each individual field-hand, and noting if it be done properly or must be overhauled once more." In estimating work he is assisted by the driver, and if he condemns any work, must warn the labourer concerned, that his work has been "shut out." When the staff of overseers is insufficient, the tendency is to encourage men to take up tasks which will last two or three days, and hence a serious abuse of the provision of law relating to unfinished work. On all well-managed estates, however, each man's work is taken down each day. The overseer also generally pays the wages under the general supervision of the manager. He has likewise to appear in cases before the magistrate, and the Commissioners seem to think that he sometimes too nearly approaches to the position of a professional witness.

They state that it is "not at all uncommon for overseers, and even managers, to form temporary connections with coolie women, and in every case with the worst possible consequences to the good order and harmony of the estate." At the same time they admit that opinion on this subject has much improved, and still shows signs of improvement. But they strongly condemn the practice, the evil consequences which, especially among a community where the women are to the men as one to three,† are sufficiently obvious.

The drivers are what an English navvy would call "gangers," or an Indian cooly "sirdars." Most of them are negroes. But the Chinese generally have a Chinese driver. Indian drivers are mostly Madrasees; "they are generally men of strong character and thriving circumstances, separated in interest from the great mass of 'Calcutta coolies,' and much trusted by managers." The "driver" is the weak point of the labour system, and his power is liable to abuse. The negro is apt to be brutal, the Indian corrupt. Drivers should have as little as possible to do with the pay table, and some practical suggestions

* Ill-usage of an immigrant renders the employer guilty thereof liable to a fine of 48 dollars, imprisonment with or without hard labour for two months, or both.

† Not quite so much. From Mr. Gallagher's report for the half year ending 31st December 1870, there seem to have been of Indians 38,007 males to 12,788 females.

suggestions are made as to the mode of paying wages. The practice of paying the wages of the gang in a lump sum into the driver's hands has, "except in the special case of punt-loaders," been put a stop to. Not so the practice of allowing them to keep shops, either in their own names or "benami." The Commissioners most justly condemn the practice, and urge that the aid of the commissaries of taxation might be enlisted in suppressing it. The driver, too, is sometimes treasurer of a fund which the coolies get up among themselves. This leads to charges of peculation, whether true or false, and should be discouraged.

The Commissioners give a brief sketch of the four classes of labourers employed in the Colony, viz., Portuguese, Africans, Indians, and Chinese.* The Portuguese have mostly taken to trade and wood-cutting. The Africans are either immigrants or creole negroes. As field labourers they can get through most work in a given time. But they will not work continuously. They work from eight to ten hours a day, but seldom for more than three or four days in the week. "Most of the trenching and cane-cutting is done by negroes, though some coolies and Chinese are pretty good hands at it. * * By far the greater number of artizans employed throughout the Colony, of the police, of the sailors of coasting craft, of jobbers or porters about the wharves, and of boatmen on the rivers, are negroes." * * *

"The class of Indian immigrants at present in the Colony cannot, as a rule, earn more than half as much in the same time as the negro." The love of saving is, the Commissioners think, the great stimulus to work among the Indians, who, on task-work, generally labour in the field for six or seven hours a day, and for four or sometimes five days in the week. In the buildings they sometimes work six days. The Commissioners notice the air of independence which the coolies acquire. The Indian and the negro mutually despise one another. The Indians seldom marry or live with women of another race, though there are a few instances to the contrary. I infer, however, from some of the cases cited by the Commissioners in another chapter, that Musalman men not unfrequently live with Hindu women, and Hindu men with Musalmanis.

The Chinese are more intelligent than either Indian or negro. They quickly learn to manage machinery, and are neat and careful in their work. As a class, they are inveterate gamblers and opium smokers. "It is worthy of notice, that in places where the Chinaman has other careers open to him, besides that of working as a field labourer for wages, he invariably chooses one where he can work for himself. He either rents a piece of ground near town, or starts a provision or retail shop as soon as possible."

Wages.—It may help to the understanding of the somewhat dry details to preface them here by extracts from Mr. Jenkins' more popular account:—

"From the far north-west on the Aroebisce coast, to the extreme south-east on the river Corentyn, the shores and river banks are fringed with estates laid out in lines long and narrow. From end to end you would be hard bested to find a hillock, and on the east

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* The latest available figures give the following as the number of these various classes on 30th June 1871:—

	Males.	Females.	TOTAL.
Indians:			
Indentured	25,239	9,300	34,539
Non-indentured	5,493	3,675	9,168
Both Classes	30,732	12,975	43,707
Africans:			
Indentured	134	25	159
Non-indentured	703	386	1,089
Both Classes	837	411	1,248
Chinese:			
Indentured	4,475	498	4,973
Non-indentured	1,141	393	1,534
Both Classes	5,616	891	6,507
West Indians:			
Indentured	512	347	859
Portuguese:			
Indentured	423	423	846

east and west coast, which I could see from the lighthouse, the ocean was walled out by dams. Those called the front dams constitute the high roads to the estates. They lie between the cultivation and the sea, and the burthen of maintaining them in good order, as public highways, lies on the adjacent estates. The carking sea is constantly eating his way into those huge works, so that thousands of pounds have been spent by the Colonial company alone in resisting his encroachments. As there is no stone within 50 miles, the roads are topped with clay roughly burnt into brick. On either side of the dam are broad, deep trenches, or canals. Into these, on the land side, strike at right angles the middle dams of the estates, with their two long drainage and navigation trenches.

"The plantations vary in breadth, but I was told there were some as narrow as 200 rods. Their lines run 'back' a prodigious length—four, five, or even six miles to the Savannah—no pleasant meadow, but a great watery swamp, covered with rank yet magnificent vegetation—wilds where man rarely if ever roams, and where in the rainy season sweeps down a deluge of brown brushwater. Against this incursion the cautious manager erects his back dam. The intermediate space of the quadrangle between this and the front dam is crossed at regular intervals by side trenches, cutting the estate into rectangular fields for the canes. These fields are sub-divided again by smaller trenches and drains, till the wonderful system brings you at last to a bed—a space nine feet wide by 36 feet long—and here, with the drainage and drilling to make it comfortably dry, grows the juicy cause of all this labour and of the coolie question in Demerara. It is said that on one estate alone there are 60 miles of trench work. No nation but the Dutch would ever have attempted so gigantic a water system on such a mudbank as the one stretched out below me. This water system prevails throughout the whole Colony, and there are many abandoned estates on which you may mark the remains of the Dutchman's marvellous energy to this day. * * * * * * *

"The 'buildings' consist of large sheds protecting the machinery from the weather. * Long ranges of open sheds on each side of the 'megass' yard are filled with what look like dried shavings, which bare-legged coolie women and boys are carrying swiftly in baskets to a row of fires, where men thrust them in with long iron feeders. This is megass. Entering the grinding-room, we see at once what megass is, for here is a huge machine at work. From the shed to the adjacent canal, on an incline, stretches a covered way. A punt load of canes, fresh from the fields, is discharging. The canes vary in length from two to five feet, and are one to two inches in diameter. Coolies in the punt lay the canes on a broad traveller, up which they pass slowly, other coolies meanwhile picking out the defective stalks and trash. At the top they are gripped by two iron rollers, which draw them into their ponderous jaws, and with titanic force squeeze out the juice, leaving a flattened fibre—megass—to pass out beyond. Coolies receive it in large boxes, and wheel it away to the megass logie or shed.

"From the sides of the machine runs out the slatey-coloured liquid into a well, whence it is pumped up to clarifiers, which are heated with steam-pipes. Indian and Chinese men, with boy assistants, all reeking with the damp swelter, manage the clarifiers, and when they have prepared the juice, allow it to run down wooden troughs to the copper-wall—a range of brick furnaces, 30 feet or more in length, in which are sunk huge iron hemispheres called 'coppers.' We ascend the stage and watch the juice boiling violently, while the naked Chinese deftly sweep away the scum with large flat blades of wood. All this boiling is produced by the burning megass. Up into the pitch of the shed rises the shining dome of the vacuum—pan, whither the syrup is pumped from the copper wall, and where it is boiled again. Re-descending to the floor, we find the result in a tank of thick brown matter. Take up a pinch on your finger, you see among the molasses the sugar crystals, and swarthy Chinamen fill their wooden troughs here, and empty them into the centrifugals—a row of hollow drums, which, revolving rapidly, drive the crystals to the side of the drum, and the molasses through its sieve-like lining, until the pure white sugar is left there clinging to the side like a snow-drift. Other workmen empty the drums, and convey the contents to the sifting room, where—shall I tell it?—I saw a couple of naked fellows walking about in the piled-up sweetness as they worked the sifter. Our sugar is now ready for its huge hogsheads. I need not follow the molasses to its cisterns, or the dregs to the rumstill. The very sweepings of the floors are made available."

The following passage describes what Mr. Jenkins saw, in "going back" (*i. e.*, up the middle walk to the back dam through the cultivation), at Windsor Forest Plantation:—

"We have been passing fields of young cane, and the light gangs, consisting of women and weakly men, are weeding among them. I have explained that a bed is a space about nine by 36 feet. Through this again, lengthwise, run shelving drains, dividing it into spaces. The canes are planted along these, in what are called cane-holes. On one side is a clean bank, on the other a trash bank. You may take the field, therefore, to be reduced to three feet spaces. Mr. Russell, in his evidence, showed how this simplified calculation for wages or expenses: 'The fields are always laid out in three feet spaces, and to those who understand decimals it is a nice way of calculating work. There are 100 such beds to an acre; so, if you pay one cent. for each bed, it amounts to one dollar an acre; eight cents. per bed to eight dollars an acre.' The young canes may be two or three feet high. The weeders hoe out the weeds from the nine feet space, and lay them on a three feet space adjoining. Weeds, in British Guiana, are incredible plagues—

 vicious,

vicious, pertinacious, domineering, tolerant of no other vegetation besides them, growing out and up and over everything with rankness and rapidity. The work is done generally by the task. A man or woman agrees with the overseer to do one or more 'openings' for a sum certain. An opening is the number of nine by 36 feet spaces across the field, *i. e.*, 12 of these beds taken in a straight line. At this work a new immigrant working steadily might make, on a good estate, 1 *s.* sterling in about six hours, or, supposing him to work from 6 a.m. till 12 noon every day but Sunday—and few will do more than five days' work—his earnings would be 6 *s.* * * * * A couple of miles back we came across the cane cutters. They are the strongest coolies on the estate, or more frequently African creoles. They also take their work by the opening. At each end of the opening runs the canal, and our cutter must pile his canes on the bank ready for the punts. Stripped to a rag, he takes his cutlass—a peculiar weapon, in one piece—and cutting off the cane near the ground trims away the long leaves and head. This head forms the plant or seedling to supply again the fields from which it is cut, or new lands brought into cultivation. The leaf trimmings, called trash, are gathered up by the weeding gang and laid on the bank alongside the cane holes. There it dries and rots, and is then buried in the middle of the trash bank as manure. When he has cut 100 canes, the cutter, gathering them into a bundle weighing, perhaps 100 lbs., carries them on his head to the canal.

"If he is cutting in the middle beds, he has to cross and re-cross five beds and the intermediate drains to the water and back again. No wonder he streams with the sweat of toil. At such work as this a strong man may make, it was said, two or three guilders or more a day; a guilder is 1 *s.* 4 *d.* Some of the coolies were magnificent men. Several had been sepoys in India. A few of such men I saw elsewhere engaged in another operation, trench digging. The subsoil is like London blue clay. Digging out a trench seven feet deep and 12 or 15 wide, you see a dozen mud-spattered fellows, with convex (*sic*) shovels like long scoops, having handles six feet in length. Standing firmly on his feet, every muscle in tension, the labourer drives the scoop into the clay by the action of his arms and shoulders, lightly throwing it 20 feet or so out of the trench. Good hands are fond of this work, and earn a dollar a day at it."

To return now to the report, and first as to the rates usually paid for the performance of given quantities of work. On arrival at an estate the emigrants are divided into the shovel gang and the weeding gang; the latter including the women and weaklier men. The building gang is composed of labourers withdrawn temporarily from the field gangs, and their work in the buildings is regulated according to their qualifications, mental and bodily. Field work is paid for by the task. For digging trenches 12 feet wide and five feet deep, the earth being thrown on both sides, the usual payment is from 80 to 96 cents. for a rod of 12¼ feet. These and trenches 14 feet wide are the most commonly dug, and the rates for other trenching work may be calculated from them, making allowance for the distance the earth has been thrown. Digging new small drains two feet wide by two feet deep, the land being cleared, is paid for at the rate of 4 to 8 cents. a rod, according to the soil and state of the field; from 5 to 6 cents. is the usual price. Clearing out small drains one foot or one shovel costs 1 or 2 cents. a rod. The usual rates are 1½ or 2 cents. Shovel-ploughing banks and drilling vary according to the nature of the soil and the frequency of the operations. Shovel-ploughing clean banks varies from 2·20 to 4·40 an acre; average price between 2·80 and 3·50 dollars. Drilling one shovel deep and two feet wide is done at the rate of 8 cents. for three rods almost everywhere. Sometimes the drills are 18 inches wide by 18 inches deep; they cost about the same. Weeding and moulding and weeding and trashing cost everywhere on estates in high cultivation from 2 to 2·50 dollars the acre. When weeding is less frequent, the work when done is heavier, and costs sometimes as much as 3·50 dollars the acre. "Relieving," or hauling out the trash after canes have been cut, cost from 2·10 to 2·50 dollars an acre. Cane cutting is generally paid for at so much a bed, according to the weight of canes on the ground. Sometimes it is paid for by the cord (= 16′ × 4′ × 4′) of canes cut. The rate per cord varies from 48 to 54 cents. The above rates cannot be regarded as fixed rates. They all vary according to the state of the weather, the nature of the soil, and the condition of the field. In the "buildings" labourers are paid according to the kind of work they perform. The rates are not uniform, being generally higher in the estates near Georgetown and on the large estates. The work in the buildings, though called time work, is really task work. A certain number of clarifiers of cane juice, or of "boxes," as they are called, having to be made in the day, and the pay of the gang being diminished if this amount is not reached. On most plantations, too, when the prescribed number of boxes is exceeded, the men are paid extra. If an accident happens to the machinery the wages are reduced unless the labourers choose to finish the day's work in the field. If the accident happens late, they have no choice but to have their pay cut. The Commissioners condemn this as unfair. At any rate it shows conclusively, as they say, that work done in the buildings must be regarded as task work. This task work by a gang is, however, not recognised by law. Still the employers get on without difficulty, because work in the buildings is better liked than field work; this is due partly to the little perquisites, such as cane juice and liquor, and partly to the fact that the men work under shelter. Advantage is taken of this to exact too much labour, sometimes without extra pay. "It is not uncommon, especially on Saturdays and last days of a bout of work, for fire to be put to the engine at 3 a.m., or even earlier, for the gangs to be called at 4, and to be kept working till near midnight." In one case at least the Commissioners found that a gang had been kept at work for 23 hours consecutively. They distinctly recommend that payment by time should be enforced in the buildings.

The

The work and pay of those employed in the "buildings" vary greatly. The calculations of the Commission may be thus epitomized:

The pan boiler, who looks after the vacuum pan, from 1 to 2 dollars.

Engineers, carpenters, coopers, and other artizans, from 60 cents. to 1 dollar per day.

Head boilermen from 56 to 64 cents. a day.

Firemen from 40 to 48 cents.

Mill feeders from 32 to 40 cents.

Cane throwers from 24 to 32 cents.

Box men, who carry off the megass after it has passed through the rollers, 32 to 40 cents.

Lads employed on the liquor pumps from 20 to 32 cents.

Lads employed on the clarifiers from 16 to 40 cents.

Porters work by the job, and earn from 32 to 48 cents. a day. They take the sugar to the "stelling," and ship it on the lighters.

Men attending the centrifugals earn from 32 to 40 cents., but are sometimes paid by the hogshead of sugar.

Women earn from 24 to 40 cents. a day by carrying sugar from the coolers, in factories where muscovado or "common process" sugar is made; they also earn from 24 to 32 cents. as megass carriers. But negro women, from their superior strength, are paid 40 cents. Those who pack the megass in the logies received generally 32 cents. a day; and a gang of convalescents and children spread the megass in the sun, earning from 12 to 24 cents. Punt loaders are paid by the punt loaded. The Commissioners found that in some cases the record of each man's work was not accurately kept. Excepting pan boilers, head boilermen, and other artizans, the rates of wages in the buildings may, therefore, be taken to range from 12 to 48 cents., including in the calculation women and children. The average number of hours of work in the buildings is 15 a day; but, as we have seen, is sometimes greater.

The Amount of Earnings.—The Commissioners have made a most laborious investigation into this point, and have arrived at the conclusion that the average earnings of able-bodied Indian male immigrants, excepting drivers, artizans, and other headmen, throughout the colony, are about 28 cents. a day for every day they do a fair day's work. About four-fifths of the adult male immigrants may be included in this class. Women earn from 16 to 32 cents., but do not, as a rule, work as many days as the men. Children 10 to 15 years of age earn from eight to 16 cents. a day. The men generally work from four to five days out of seven. Another calculation of the Commissioners shows that even if the males are taken alone, 40 per cent. of those who work in a given week do not earn 5 *s.* and upwards.

It is strange that neither in the Commissioners' report nor in Mr. Jenkins' book can I find anything definite on the purchasing power of the wages earned,* though it is clear that at any rate for the Government of India to form an estimate as to the benefit of emigration to the labourer some such information is necessary. In the resolution of the Court of Policy cited at paragraph 176 of the Report, the price of a full supply of food for a man is stated at 8 *d.* per diem;† this is at the rate of 4 *s.* 8 *d.* a week. At this rate the man earning 5 *s.* a week would have barely a full subsistence for himself, not to mention the women or children probably, to some extent, dependant on his labour. But perhaps 8 *d.* is more than the cost of a good ration for an Indian immigrant.

Some further light has since been thrown on this question, though the general conclusions of the Commissioners are not in any material point invalidated. We have seen (Part I.) that the passages in the Commissioners' report bearing on the question of wages were circulated to the officers concerned by the Governments of India and Bengal. A copy of these circulars having reached the hands of the Agent for British Guiana at Calcutta, he communicated with the colony, and Governor Scott appointed a commission consisting of the Government Secretary and two other gentlemen to report on the condition of Indian immigrants in British Guiana. The report of this Commission states that whatever may have been the case formerly as to the possible wages held out as an inducement to emigrants, the Emigration Agent has of late years confined himself to a promise of from 7 to 10 annas ($10\frac{1}{2}$*d.*—15*d.*) a day for agricultural labour, an amount which a healthy labourer certainly can, and less than many do, earn; that the absence of a contract before the emigrant leaves India has been, and could be, no detriment to him, as it is impossible to conceive his being unable to obtain regular employment; and that the labour required by the British Guiana law is only 35 hours a week, considerably less than is required by the Trinidad and Jamaica laws; that for this amount of labour the immigrant is entitled to 5*s.*, and the fact that he does not earn more, which the Bengal Government urges as an argument against the planters, is in reality the principal grievance which the planter has against the immigrant; that the planters are only anxious that the immigrant should by additional labour earn more, and that he could do so

* The tables in the Appendix show the average market prices at Georgetown of wheat-flour and rice, taken over a period of 13 years, to have been respectively $8·10 per barrel and $4\frac{7}{9}$ cent. ($=2\frac{7}{18}$) per lb. But these are wholesale prices.

† This agrees with the estimated cost of the rations which now may be given for four months.

so is proved by the large amount of property which immigrants acquire, calculated in money in savings banks, live-stock, houses, &c., at 1,389,840 dollars (£. 289,550) for those now in the colony, in addition to what has been carried away by return coolies. But earnings of even 5*s.* a week would, it is said, be more than a bare subsistence, as the Chairman of the Enquiry Commission, who had large experience in India, was of opinion that the dietary fixed in the Ordinance of 1868, which cost 4*s.* 8*d.* a week, might with advantage be replaced by a dietary which it is estimated would cost only 2*s.* 9*d.* It is further alleged that the report of the Enquiry Commissioners, if taken as a whole, shows that the condition of an Indian labourer is much improved by emigration, while the children born to them in the colony are described as a very satisfactory feature of the system.

In further proof of the success of emigrants, the Commissioners enclose (1.) a copy of the "Official Gazette" of the 20th January last, containing 17 conveyances of land to 32 Indian immigrants; (2.) a letter from a planter* stating that five of the immigrants on his estate had earned from 3·16 dollars to 4·28 dollars each in six days; (3.) returns from 27 estates showing that, in the quarter ending 31st March last, 521 Indians had earned on an average 2·56 dollars a week; and (4.) a memorandum to the effect that an Indian and his wife, between 15th June 1869 and 12th April 1872, had accumulated property to the amount of 260 dollars, although the woman, from pregnancy and other causes, had worked only eight and a half months. The Commissioners add, that the question of providing land for immigrants in lieu of return passage is being considered in a spirit of the utmost liberality.

Subsequently two Ordinances have been passed, putting the question of wages on a more satisfactory footing, though they are avowedly of a temporary character, and only intended to set things right pending the more thorough and radical reforms suggested by Lord Kimberley, in the form of a complete revision and consolidation of the law relating to immigrants. The first of these two Ordinances expressly validates contracts made in India. The second, besides the provisions as to rationing, noticed further on, contains some important clauses upon the general question of work and wages. It is provided that every adult immigrant (and an adult is defined as one of the age of 12 years or upwards) shall, except in case of illness, or of other good cause beyond his control, be bound to work for six days in each week and for nine hours a day, except on Sundays and public holidays, provided that this shall be no bar to mutual arrangements for over-time. Every such adult immigrant, if a man of 16 years or upwards, shall be paid day wages at not less than 25 cents. a day, males between 12 and 16 years, and females over 12 years of age, receiving a minimum of 18 cents. These wages are to be paid weekly, after deduction of the authorised charge, if any, for rations. Each immigrant is to do a fair day's work, age, sex, and strength considered, every working day; and the stipendiary magistrate, assisted, if he chooses, by appraisers, is to decide in case of dispute as to what constitutes a day's work. The employer, on the other hand, is bound to give work on every working day; failing this the immigrant may nevertheless claim the day's pay. Failure, in the absence of reasonable cause, to work on working days or to do a fair day's work, subjects the immigrant, on conviction before a stipendiary magistrate, to forfeiture of wages for each day's default, or fine not exceeding three days' wages for each day's default, or imprisonment with hard labour for one month, which latter may, in case of a second conviction within 12 months, be increased to two months. If the accused be acquitted, the magistrate may award compensation for time lost, as well as costs and expenses. Stipendiary magistrates are authorised to hear cases for non-payment of wages, and to inflict a fine not exceeding 200 dollars on the employer if the case be proved. But the Ordinance does not seem to warrant an order for payment of wages. With the consent in writing of an officer of the Immigration Department, or a stipendiary magistrate, an immigrant may elect to work at task-work or day-work under existing Ordinances; and in no case does the new ordnance apply to immigrants introduced before 1st September last.

Enforcement of the Labour System.—"In considering the administration of justice in the magistrates' courts," write the Commissioners, "we are brought face to face with a state of things, the gravity of which it is folly to extenuate. Wherever we went we heard the immigrants loudly protesting a complete want of confidence in the magistrates' impartiality, and they accounted for it by appealing to the terms on which the magistrates associated with their masters and employers." Though the Commissioners believe the cause really to lie deeper, in the nature of the law the magistrates have to administer, they are of opinion that it has become the duty of magistrates, when on circuit, to refuse the hospitality of planters. To enable the magistrates to avoid the appearance of evil, the Commissioners think that the Government should in some form consider the expense they have to incur, and provide them with decent accommodation at stations.

The Commissioners next point out the disadvantage at which the immigrant stands in the magistrates' courts.

1. He is ignorant of the language of the court. The original intention of the Colonial

* The planter referred to, Mr. Bascom, bears the same name as one of the Commissioners, though it is not stated whether there is any connection between them.

Colonial Office, that a considerable proportion of the stipendiary magistrates should at least know Hindustani, seems never to have been carried out, and the interpreters are ill-educated men on a salary of 24 dollars a month. A re-organisation of the interpretation department has taken place in the higher courts, and the Commissioners express a hope that the measure may be extended to the courts of magistrates.

2. He is unacquainted with the forms of English law, administered, the Commissioners might have added, in a spirit of the utmost technicality.

3. The magistrates, unacquainted with Asiatics, are too apt to reject *en masse* the evidence of fellow-labourers of the immigrant in court, instead of trying to sift out what truth there may be amidst much exaggeration.

4. The great majority of cases are cases in which the immigrant is a defendant. Yet, since even if the charge be for breach of contract, the case is treated as a criminal case, the immigrant's mouth is shut. "If the converse case of the rule," the Commissioners pertinently remark, "came within their experience, if they were in the habit of bringing charges against managers, and of seeing them tongue-tied whilst their characters were being sworn away, they might recognise an even-handedness, if not an equity in the law. But as a matter of their daily experience, a few exceptions set aside, the penal enforcement of the labour law has hitherto been an enforcement against the labour alone." The total number of cases before magistrates under the immigration laws for five years, ending 30th June 1870, was 32,876, out of which "certainly not 100, perhaps not a score,* were cases by immigrants, or by others in their behalf, against employers, and the charges brought by officials against employers under the same Acts may be counted on the fingers of one hand." The steadily high proportion, upwards of 20 per cent., which the immigration cases bear to the total number of cases before magistrates, is another sign of the absence of proper relations between employers and their indentured labourers. And from recent reports the number seems to be increasing. For instance, the per-centage of cases to indentured immigrants in the first half of 1868 was 6·17, in the first half of 1869, 6·44. In the first half of 1871 the proportion of cases had risen to upwards of 10 per cent.

The law puts two weapons into the hand of the employer; (1.) the Labour Law Proper; (2.) the Vagrancy Law.

And first of the Labour Law Proper.—The principal provisions are those providing penalties (*a*) for non-performance of five tasks; (*b*) for neglecting or refusing to work, and (*c*) for being absent from work. There are other provisions less frequently appealed to, as those against bad or unfinished work, against absence from muster-roll, against breaking hospital, against using abusive language towards a person in authority, against inciting to refuse to work, a clause put in motion sometimes to punish ringleaders of strikes. The Commissioners find that, of the 32,000 odd cases brought within the last five years, one-half resulted in convictions. The rest were entered as dismissed or withdrawn. But by far the greater proportion were withdrawn, the immigrant paying the cost of summons and promising to labour better. The proportion of true acquittals is very small.† Even of the acquittals, most were on technical grounds. Sometimes, too, a man is found to be sick, and is sent to hospital instead of to gaol. "But with these exceptions, to be prosecuted is with an immigrant almost the same thing as to be convicted and sentenced. Practically, therefore, and without casting imputation on the magistrates, the labour law in its operation must necessarily appear to immigrants as a mere instrument wielded by the manager for their chastisement, and not as an intelligent arbitration between them and him." The practice of making charges and then compromising them, at any rate pushed to the extent to which it at present prevails, they most strongly denounce as "among the causes which have destroyed the confidence of the immigrants in the administration of justice." With regard to the charge of non-performance of five tasks, the Commissioners point out that it is objectionable, because there are many immigrants, as shown by the estimate of wages earned, liable to prosecution who never are prosecuted. More than half the immigrant population would be liable to punishment under this clause alone. The second form of charge for neglect or refusal to work is read subject to the proviso as to the performance of five tasks, and is chiefly employed in cases of illness or recusancy in the buildings. The third charge is for absence from work. More than half the convictions were obtained under this form of charge, and the Commissioners prefer it because of its simplicity, it easily admitting of proof or disproof. As the law stands, however, it is inconsistent with the five tasks' clause, and the magistrates have consequently struck out a middle course, not taking cognisance of the amount of work done, unless specially pleaded.

The Commissioners discuss the effect of the provision on the subject of leaving work unfinished.

* Perhaps not strictly accurate. But it is only within the last two years that the reports of the immigration agent noticeth is side of the question at all. In the half year ending 3rd June 1871, there were 94 complaints against employers.

† In New Amsterdam 977 convictions to 41 acquittals. On Corentyne Coast 219 convictions to four acquittals. In Berbice River District 706 convictions to 33 acquittals, and so on. The more recent statistics are not quite so bad as these. For instance, out of 4,061 cases against immigrants in the first half of 1871, there were 1,872 convictions to 867 acquittals, 1,416 cases being withdrawn.

unfinished. A legislative mistake was committed in taking the discretion to enforce the penalty of forfeiture of wages for bad or incomplete work out of the hands of the magistrate. There are, indeed, certain restrictions imposed upon the employer before he can make a charge under this provision; but they are restrictions with which he would, if a good man of business, naturally have complied in the regular course of work; and as the labourer who complains of wages unduly stopped is almost necessarily in the position of having neglected or refused to work, the manager can bring a countercharge. Thus "the immigrant may win his case and recover six-pennyworth of wages without prejudice to the manager immediately winning his, and so subjecting the immigrant to a month's imprisonment or a fine of 5 dollars." The number of cases actually brought into court under this section is not large; it is the weapon held *in terrorem* over the heads of immigrants to enable the employer to work out the whole system of "stoppages." "After the general grievance that wages were too low, the most common complaint that reached us was of their being stopped on pay day;" and the case cited by the Commissioners shows that the practice of making arbitrary and illegal stoppages is but too general. It was a stoppage of this kind that led to the outbreak at Leonora, which so alarmed the planters, and was one of the events leading to the appointment of the Commission.

2. *The Law of Vagrancy.*—This "which is rightly characterised as an *adscriptio glebæ*, binding the immigrant while under indenture to the soil, is enforced, like the labour law proper, by a series of enactments which in some degree cross and overlap each other. There is first the old-fashioned muster-roll, the calling of which was incumbent on the employer under Section 108 of Ordnance 4 of 1864, while the attendance of the immigrants was enforced by Section 106 of the same Ordinance; absence without leave from the daily muster and from work for seven days consecutively constitutes desertion, an offence punished with double the penalty assigned to offences against the labour law proper, and liable, as an alternative, to involve an extension of indenture equal to twice the period of desertion; even without conviction a desertion, which can be proved to satisfaction of the Immigration Office, involves an extension for an equal term, and it seems that a further term of extension may be added equivalent to the period of confinement to which a man may have been sentenced for the same desertion." The law binds managers to give notice to the police of desertion. This provision was originally passed in the interest of the coolie, but it has become almost a dead letter. The police, however, have power to arrest without a warrant and carry back to the estate to which he is *adscriptus* any emigrant found more than two miles from such estate during the hours of labour, and without a pass. The muster-roll clause seems to have been a farce. In the larger and better-regulated estates, the field-book of work has been substituted for the muster-roll, and the Commissioners recommend that the substitution should be made compulsory. As to extension of indenture for desertion, the Commissioners would confine it to cases of conviction before a magistrate, and would substitute extension for the exact period of desertion, coupled with a moderate fine, for the present alternative of extension for double the period of absence. At the same time they admit that the planters have shown moderation in their prosecutions for desertion, and, in consequence, probably, the number of desertions has been gradually diminishing. The authorityof the police to arrest vagrants rests, however, on a somewhat precarious footing, as it is difficult for them to determine whether at the time of arrest an immigrant is bound to labour or not. Hence, the rule has been very variously applied, and the Commissioners condemn it. It has been, in several cases caustically described by the Commissioners, so used as to prevent immigrants obtaining access to the Immigration Office for the statement of legitimate grievances. It is pointed out that the stipendiary magistrates should have the power of granting passes for this purpose. Indeed, the necessity for such a provision was so obvious that some magistrates have granted passes which, though of no legal validity, were probably respected by the police. And a decision of one of the magistrates has laid down that immigrants are not liable to be imprisoned for desertion for leaving an estate in the exercise of their right of making a complaint at the Immigration Office.

Penalties.—Imprisonment with hard labour, however inefficient as a punishment for men living by the sweat of their brow, has always been the alternative for fine. In the Demerara county "district jails" have been erected, whither only immigrants convicted of breach of the immigration laws are sent, and whence they are sent out to work on neighbouring plantations. The Ordinance makes a sentence to so many days' hard labour equivalent to a sentence to perform so many daily tasks, the task being put somewhat higher than for free labourers. As a matter of fact, the labourers in jail on an average do not perform more than half a task in the day. In other words, viewed as a sentence of imprisonment for a certain number of days, the interpretation clause has just doubled the average sentence awarded. When the "district jails" are full, immigrants convicted of breach of the labour laws are sent to the Georgetown, Berbice, and Capoey Jails. The latter is "not a satisfactory edifice." Some of the lock-ups are also condemned by the Commissioners.

The result of a careful analysis of punishments awarded is that, "an average of five dollars fine and 20 days' imprisonment over the whole colony, until this last year (1870), when the severity of punishments seems to have somewhat decreased, cannot be far out. This average fine somewhat exceeds the average amount of a month's wages. It is noteworthy that a 'month's wages' was fixed as a maximum fine in the code of 1838. The 20 days' average sentence of imprisonment in a still greater degree exceeds the 14 days' maximum

maximum fixed in the same code. We submit with confidence that the imprisonments, more especially in Demerara, since the establishment of the district prison system, are too long; that the proportion who prefer going to prison is, in Demerara, too high; and the cause of this is that the average of fines is very much too high." It appears that Governor Scott has already "by a circular" taken steps to mitigate the severity of punishments, especially in the case of women.

The loss to the planter caused by imprisonment of the labourer has led to various suggestions for the substitution of other modes of punishment. The Commissioners mention two:—(1.) The establishment of private lock-ups on estates. (2.) The extension of indenture in all cases of imprisonment; but only decisively to reject them.

Re-indentures.—Out of about 40,000 immigrants whose term of first indenture has expired, between 17,000 and 18,000 have, in consideration of the regular bounty of 50 dollars, increased sometimes by the planter in his desire to obtain acclimatised labourers, re-indentured. The existence of some 8,000 or 9,000 free immigrants shows that there is no absolute necessity for re-indenturing. "But the free coolies," say the Commissioners, "are men of good labouring ability who have saved a little money, and can afford to look about them. For the great multitude there is nothing open but a re-indenture on the statutory footing (*i. e.*, as we have seen, for five years certain). There is no provision for settling the people on the soil, and no trade or special calling can be said to be open to them. They are here to fill up one gap in the social system as agricultural labourers, and agricultural labourers they must remain." Such being the case, the Commissioners unhesitatingly condemn the extension years certain. But a compromise has had to be accepted on this point.

Mortality and Acclimatisation.—"The mortality returns of the immigration officer are not, at least till within the last three years, to be depended on as calculations, involving as they do a large element of mere estimate." So say the Commissioners, and the remark is not flattering to the Immigration Office, one of whose most important duties was supposed to be the maintenance of an exact register of immigrants.

For the three years, 1867–69, the estimate* of the Commissioners for Indians is as follows:—

	Population.	*Death.*	*Death-rate.*
1867	31,274	1,333	4·3 per cent.
1868	33,579	985	2·9 „
1869	36,860	1,106	3·0 „

Though not absolutely good, this rate contrasts favourably with that of 1845 to 1851, when the mortality of East Indian immigrants was not less than 10 per cent. annually. Governor Scott has, as appears from the last report, been instructed to refuse allotments to estates where the mortality exceeds twice the general average of five preceding years, or seven per cent. among immigrants of less than five years' residence. The greater proportion of deaths among more recent arrivals is sufficiently marked. Among the devices to lessen this are—(1.) The allotment of the earliest arrivals to the least healthy estates; (2.) The observance of the rule that emigrants should be shipped from India so as to arrive in the colony not later than the end of April,† (if necessary, the Government of India could limit the emigration season so as to ensure the observance of this rule); (3.) The placing the newly arrived on rations for a time.

The scale of dietary prescribed by the Governor is as follows:—

Biscuit	4 ozs.	For "chhota haziri."
Sugar	1 „	
Rice	12 „	For "breakfast."
Dál	4 „	
Ghí, or mustard oil	½ „	
Onions	1 „	
Some curry-powder and salt.		
Salt-fish	2 „	
or, if no dál	4 „	
Cooked plantains	24 „	For "dinner."
Pork	2 „	
or butter	1 „	
Salt-fish	4 „	
Onions	1 „	
Five or six biscuits.		

* Mr. Gallagher, in his report for the half-year ending 31st December 1870, gives the following percentages:

1865	5·4 per cent.
1866	4·39 „
1867	4·13 „
1868	2·9 „
1869	2·84 „
1870	3·06 „
1871	3·65 „ (this is the mortality on plantations).

Essequibo is the most healthy district; Berbice comes next; while Demerara is worst in this respect.

† Sir C. Murdoch states that the Calcutta agent has been instructed in this sense.

Tobacco to be issued at regular intervals. The cost of the daily ration for 25 men is put down at 4 dollars or 16 cents per head. The supply of rations was at first (by Ordinance 9 of 1868) optional with the employer. A recent Ordinance prescribes the supply of rations for six months to all newly-arrived immigrants. The scale is as follows for each immigrant above 12 years of age; 1½lb. rice, 4 oz. dál, 1 oz. ghí, ⅔ oz. spices, 2 oz. sugar, and salt *quantum sufficit*; half this scale for immigrants between 1 year and 12; the cost of the ration to be fixed by the Governor, but not to exceed 60 cents a week; the cost as fixed to be charged against the immigrant. The ration must be supplied in kind, and directly by the employer. After three months the immigration agent may, on the application of any immigrant, sanction the discontinuance of rations, if he be satisfied that such immigrant is earning enough to supply himself with a sufficiency of wholesome food.

Dwellings.—The Commissioners record their personal experiences on this point. They show that the clause which binds the employer to provide his labourers with suitable and sufficient accommodation has been very laxly enforced. But the Commissioners admit that an "immense start" has been recently made, and that "proprietors are putting out considerable efforts just at present to make the state of their immigrants' dwellings a credit to themselves and to the colony. It is for the administration," they add, "to see that the good work is not allowed to flag." The Government has already approved a plan for rows of single-storied cottages, all facing the sea breeze, and no new allotments are made till such accommodation is provided. "This, however," the Commissioners remark, "is not quite all that is necessary to be done; the exclusive insistance on accommodation to be provided, of a special kind, for the new immigrant has, in some cases, operated to the disadvantage of the old." We have seen above how it came to be nobody's duty to take care that the lodgings were not overcrowded. As a natural consequence, over-crowding is not uncommon. The Commissioners recommend that inspection in this regard should be made a specific duty of the Medical Inspector, and that a precise statement showing the amount of accommodation provided should be kept up on each estate.

Drainage.—It seems to be only within the last three or four years that any improvement in this respect has been attempted. That improvement has been "unmistakeable"; but there is room for much more to be done. The law makes the manager nominally responsible for the proper state of yards and grounds around dwellings and hospital buildings; "but he is exempted from punishment, if he can prove that he used due diligence in enforcing another section of the law, whereby the duty of actually cleaning the houses and yards is transferred from his shoulders to that (*sic*) of the emigrants." As a matter of fact, however, managers have paid for cleaning as for work on the estate. The Commissioners recommend that the law should be brought into conformity with the actual practice on this point. The inspection of the Medical Officer seems to have been careful; but he had no powers to enforce the remedy of defects discovered. On the other hand, the Commissaries of Taxation were vested with compulsory powers; but this provision of law has remained a "dead letter." The Commissioners would not continue these powers, as the Commissaries, in their capacity of Inspectors of Police, "have other arduous duties to perform, and it does not tend to the efficiency of a police force that the officers of it should be unnecessarily burthened with unpopular functions." The special "lees nuisance" has engaged the attention of the Legislature, and an Ordinance has made it compulsory to carry the drainage of the distillery to a river or the sea, unless special license be granted for a "lees-pond." A report just received says the "lees nuisance" has been put an end to.

Water Supply.—The main water supply is the bush water from the Savannah. This, though highly coloured, is sweet, and, in general, wholesome. It is not, however, to be depended on in the dry season, and in a drought is apt to fail altogether. Much has been promised and is being effected in the way of providing sufficient storage of rain water. The Commissioners "hope that the time has now nearly arrived when the Government will feel itself able, with general approval, to insist that a sufficient supply of rain water for drinking, during the continuance, at least, of an average dry season, shall be provided in first-class tank accommodation." They would expect this to "have a most beneficial effect on the new-comers, by way of reducing the number of cases of dysentery and diarrhœa, which they ascribe themselves to the fact that 'their drinking water is changed,' meaning that the trench water disagrees with them till they become accustomed to it."

Health, Sickness, and Infancy.—The most common diseases are ulcers and chronic dysentery. Cases of the former have greatly diminished, and this improvement is ascribed to better hospital treatment, more careful supervision of the immigrants in their dwellings, and the allotment of small numbers at one time. Inhabitants of India changed to another climate seem peculiarly liable to this evil. For instance, at Port Blair it has caused many deaths, and is still an important element among the sources of mortality. Dysentery will probably be lessened by a better water supply. "Cases of starvation and debility," say the Commissioners, "such as we sometimes found entered in the case book, are, no doubt, for the most part, attributable to the incorrigible laziness of the patient." Such entries have, however, an ill sound. Leprosy, elephantiasis, and yaws are also known in the colony. The last two are, in the opinion of the Commissioners, preventible with care and cleanliness. Accidents have sometimes occurred from want of proper

proper fencing of machinery. On this point the suggestions as to a stricter inquest are considered by the Commission sufficiently to meet the case. In the five years ending June 1870 there had been 40 suicides among Indian labourers. "Though our attention," says the report, "was early directed to the matter, we have not satisfied ourselves that any suicide has occurred of late which could be ascribed to ill-treatment or oppression on the part of the management." And as to the children, the Commissioners write:—"The jolly appearance of the cooly children born in the colony attracted our attention. The epithet is the most appropriate we can use, and the promising appearance of the rising generation on estates is one of the most satisfactory features of the immigration, both to the employers and to ourselves as Commissioners."

They then proceed to show the grounds of their assertion, already noticed above, that pregnant women are always treated with consideration. From an elaborate examination of pay lists and registers of birth, they show that "women with child almost invariably leave work three or four months before their time, and that, if their child lives, they do not return to work within from six months to a year afterwards. We were constantly informed, and we see no reason to doubt that pregnant women are allowed to 'sit down,' as the phrase is, whenever they please. No complaint was ever made to us by a cooly of women being forced to work when not in a fit state. As soon as the attention of the mother can be dispensed with, she is generally 'warned to go to work,' the young children being looked after, in her absence, by a nurse paid by the estate for the purpose. On some estates there were 'creole houses,' *i.e.*, *crèches*, for the reception of young children, erected in the times of slavery; but these are now not generally used. Instances of neglect on the part of these nurses require to be guarded against. In fact, a negro woman is not in general to be trusted, but of course a cooly woman can always be found, and is in most cases employed for the purpose. Upon the whole, while recognising that care is absolutely necessary for the protection of the lives both of the children and mothers, we are glad to be able to say that, as far as we have observed, nothing appears to be wanting in this respect. The managers are proud of the good condition of the children on their estates, and the desire to keep women after their indentures have terminated leads them to be indulgent in enforcing labour upon them. We see no necessity for recommending new legislation in this direction."

Immigrants becoming permanently unfit for labour, whether from disease or other cause, may, with the sanction of the Governor, be given a certificate of exemption from labour, or may be sent back to India at the expense of the colony.

Hospitals.—This point is most minutely and elaborately reported on by the Commission, the facts of each examination being given in detail. I shall not attempt to follow them into such minute particulars, but will endeavour to summarise briefly their conclusions and recommendations.

Ordinance 17 of 1859, as re-enacted in the consolidated Ordinance of 1864, is the law now in force on the subject of hospitals and medical attendance. Under it, a committee was appointed to frame a scale of medicines, hospital accommodation, and diet, and the scale so framed was published in a circular.

The visits of the medical practitioner were to be once in 48 hours, not including Sundays, except in cases of emergency. The Stipendiary Magistrate was to make quarterly visits to the estates' hospitals, and a Medical Inspector was appointed to make half-yearly visits, who, if he found anything amiss, was to require the manager or medical practitioner to amend it within a certain time, or to appeal within a week to the Governor and Court of Policy, whose decision was to be final. Dr. Shier was appointed Medical Inspector, and entered on his duties in January 1860. When the consolidated Ordinance was passed in 1864, a new committee was appointed, who, however, reported that the provisions of the Ordinance as it stood were sufficient. The result, a curious one for a colony where they so stickle for legal technicalities, was that the scale prescribed by the committee of 1859 was held to be binding. The circular embodying that scale requires that a kitchen be attached to each hospital; that there shall be a bath-room, a tub, and sufficient supply of water; a water-closet on the same floor as the hospital, and two moveable night-chairs; that the hospital shall have separate accommodation for males and females, and that each estate with not more than 50 immigrants shall have hospital accommodation for 10 beds, from 50 to 100, 15 beds, and 5 per cent. for every additional hundred. Between the beds there is required to be a space of three feet, and when the beds are placed in rows, a space of six feet between the rows. Each patient shall have a minimum of 1,000 cubic feet of space. Each bedstead is to have a bed and pillow-rack, with suitable dry material for stuffing, together with two sheets and a blanket. Every bed is to be supplied with a wash-hand basin, chamber utensils, tin cup and plate, and to have attached to it a black board for the record of the patient's case; also to have at its head a small shelf. There being no rules as to the construction of hospital buildings, it was natural that the Commissioners should find buildings of every kind used for the purpose. But their testimony to the general goodness of the accommodation in this respect should be given in full. "Happily," they write, "the old ill-adapted buildings are being superseded by hospitals built for the purpose; and instead of the close, ill-ventilated cells which the rooms in a private house make when they are altered into wards in a hospital, and the steep break-neck stairs which, when the wards are enlarged, replace the former staircases, we find open wards with broad verandahs, mostly built on a single floor, and well raised on pillars from the soil; and though, as will be seen from the notes of our visits to estates, we found several bad hospitals, and defects in every department, yet the system,

system, taken as a whole, must be considered a credit to the colony, the misfeasance and defects a discredit to those only who are concerned in them. Dr. Shier, in his 12th Report, says:—'It will be found that the estates' hospitals and dwellings of the immigrants are generally in a satisfactory condition; and where they are not so, it will be principally found that it is on the estates on lease, estates in the market to be sold, estates partially or wholly in the Administrator-General's hands.' The same was very much our own experience."

The Commissioners then proceed to record their experience of hospitals, and, first as to accommodation. Even the primary rule that there shall be at least two wards—one for males and one for females—has not been always observed. But the Commissioners believe that it is not now and will not in future be infringed. Many* instances are given of an insufficient amount of space, involving, of course, infringement of the rules as to space between beds and rows of beds. Hospital kitchens seem to have been found satisfactory on the whole. The cooks employed are, however, generally negro women, who are "slatternly and careless." Indian immigrants are recommended as cooks. In Demerara there are no objections made on the score of caste, and the Commissioners even record an instance where they found a Mahommedan "cooking pork and serving it out to his fellow-countrymen and co-religionists with great unction."

It is clear that the law forbidding the allocation of emigrants to estates without sufficient hospital accommodation has been too laxly administered, the plea of want of means being too readily listened to. "We find the disposition," says the report, "when retrenchments are required, to commence with the hospital; and that, until embarrassed circumstances can be tided over, the comforts and convenience of the immigrants are postponed to the convenience of the proprietors—a state of things that certainly ought not to be allowed. As soon as an estate gets into such straitened circumstances as to prevent the proprietors fulfilling all the requirements of the law towards the immigrants, the latter ought to be removed from the estate. They ought not to be called upon to sacrifice any of their rights to assist in saving the estate from bankruptcy, or to aid it in extricating itself from difficulties. Assistance in that direction should be sought from free agents and not from indentured immigrants."

2. *Baths and Privies.*—The requirements of the law as to baths and bath rooms were found to be "utterly neglected." The provision of privy accommodation was often insufficient. The Commissioners "recommend the system of deodorising at Leonora for general consideration, and that the provisions of the circular should be upheld; and that when a hospital is of two or more storeys, there should be a water-closet, or whatever may be required of that kind, on every storey, as is the case at Enmore."

3. *Beds.*—Under this head are recorded instances more or less numerous of infringement of every one of the provisions of the circular; insufficient supply of beds, absence of bed and pillow sacks, insufficiently stuffed beds and pillows, insufficiency of sheets and blankets. The circular does not prescribe any form of bed. The Commissioners recommend one of canvas stretched across an iron folding frame.

4. *Clothing.*—Neither the Ordinance nor the circular makes the supply of hospital clothing a duty of the manager. But it seems to have been accepted as such in theory, though the duty was not very faithfully performed. Even where "shirts" were supplied, they seemed ill suited to the habits of the immigrants. The Commissioners found that in certain plantations where the women were furnished with a skirt and bodice and the men with a shirt and pair of drawers there was no difficulty in getting the patients to abandon their own clothing on entering the hospital.

5. *Utensils.*—This requirement is not more strictly observed than any of the others. The circular of 1859 requires the keeping of a list of medicines and surgical apparatus and appliances. These the Commissioners as "laymen" did not examine; but they never heard any complaint of want of medicines. In this connection it is pointed out that hospitals must be classed otherwise than according to the quantity of medicine kept in store, as the estates near Georgetown can always get fresh medicine from the shops in that town, and need not keep such a supply as the more distant plantations.

6. *Stocks.*—"There was formerly," say the Commissioners, "and continued to be down until nearly the middle of 1870, an instrument in several of the hospitals not included in the circular of 5th November 1859, either among the medicines, apparatus, and surgical appliances, or hospital accommodation and appliances, but which we may as well mention here. We refer to the stocks." Indeed, they were not all removed at the time of the Commission. "At Leonora they had been retained for our inspection, though if that was the sole cause of their retention we could not see the necessity of retaining three for that purpose, as one would have sufficed." The modern application of this "relic of the old *régime*," in other words of slavery, is discussed by the Commissioners in a dry satiric way. It is enough to say here that the use of stocks in any way has now been definitely prohibited by the Governor.

7. *Diet.*—

* Fourteen cases are cited either from the Commissioners' own experience or recent reports of Dr. Shier.

7. *Diet.*—The already often quoted circular gives four tables of diet, which the doctors prescribe *pro re natâ.*

(*a*) Ordinary diet, viz.:—
8 oz. bread.
8 oz. salt fish (for which 8 oz. fresh beef or 4 oz. salt beef may be substituted).
1 oz. butter or 2 oz. pork.
24 oz. cooked plantains.
2 oz. sugar.

(*b*) Coolie diet, viz.:—
8 oz. rice.
4 oz. salt fish.
4 oz. pease.
1 oz. butter, or 2 oz. pork.
1 dr. curry stuff.
8 oz. biscuit.
2 oz. sugar.

(*c*) Spoon diet, viz.:—
4 oz. bread.
4 oz. sago or arrowroot.
4 oz. sugar.

(*d*) Milk diet viz.:—
Spoon diet, with the addition of 1 pint fresh milk.

The Commissioners found it "painfully evident that the diet is not invariably issued according to the prescribed scale." Indeed, after an exhaustive examination of upwards of 60 cases, they put the fact much more strongly, saying "patients hardly ever get the diets prescribed."

8. *Hospital Enclosures.*—The erection of these, so insisted on by Dr. Shier, does not appear to the Commissioners of any vital importance, nor is it mentioned in the Ordinance or in the circular.

9. *Improper use of Hospitals.*—The rule reserving hospitals solely for the treatment of the sick seems to have been often violated. Indeed, throughout this section, it is manifest that partly owing to the feebleness or excessive mildness of Dr. Shier, and partly to the degradation of the Immigration Office to a position of absolute dependance, no attempt has till lately been made to enforce with a strong hand the rules, sufficient as on the whole they were theoretically, in regard to hospital appliances.

10. *Lock-ups.*—Among the most objectionable forms of misappropriation of hospital room is the employment of a portion of the building as a temporary lock-up for the drunk and disorderly, or the like. Yet of this the Commissioners record several instances, of course with emphatic condemnation. "There are," they say, "or ought to be, rural constables on all estates; and if a man is so riotous that he need to be put in confinement, the rural constable should at once take him to the station, whatever time of day or night it might be, and not lock him up anywhere until it suits his convenience to take his prisoner there."

11. *Hospital Rules.*—In default of rules by the committee, which (*see* above) "thought itself wiser than the law and declined to act," managers seem here and there to have framed rules. It is manifest that these cannot take the place of rules sanctioned by an express law, and the infringement of which is made punishable by a fine.

12. *Convalescents.*—The Commissioners recommend the practice followed on some estates, of forming convalescent gangs employed on suitable and moderate labour, under the frequent inspection of the medical man in charge of the hospital.

13. *Sick Nurses.*—The Ordinance requires two nurses, one male and one female; in cases of unusual sickness the medical practitioner may call on the manager to employ additional nurses. In this respect, too, the law is not always observed. Neither the duties nor the qualifications of sick nurses are defined by the law, and the provision that unless they have certificates of competency from the colonial Surgeon General, or the Medical Inspector, the medical practitioner shall compound his own prescriptions, is a "dead letter." In the qualifications of this class of attendants as actually existing there appears to be much room for improvement. The Commissioners could not perceive much difference between trained and untrained nurses, but are "decidedly of opinion that in order to make trained nurses not only efficient in themselves but of real service in the hospitals, it is not sufficient to give them education and training in the colonial hospital or other schools; but when they leave the colonial hospital, the authorities there should not lose sight of them. They now leave the hospital with their licenses, which they ought to send for countersignature every six months, but we have seen this never has been done. There is no record kept of dispensers who hold certificates, nor where they are at present employed; in fact, nothing is known of them after they leave the colonial hospital. No report even is made of a licensed sick nurse being dismissed. Under such circumstances, it is no matter of surprise that managers make the same complaints against the trained nurse as they do against the untrained."

14. *Medical Practitioners.*—These must be medical men holding a diploma from some University. They are bound to visit each hospital in their charge once in every 48 hours, Sundays excluded. Even this fundamental rule is not always observed. The rules requiring the medical man to keep the register and case book in his own hand, to make up the medicines where there is no certificated nurse, and to inform each patient of the diet ordered him, are, it appears, systematically neglected, while the duty of taking care that the hospital and its appliances are clean and in good order has been very laxly interpreted

interpreted and very perfunctorily carried out. As to the actual treatment of the sick the conduct of the medical practitioners seems to have been on the whole not open to objection.

15. *Medical Inspector.*—The duties of this functionary are to visit each estate twice a year, and to see that the provisions of the Act as to hospitals and medical attendance are carried out. Dr. Shier, who has continuously held the office, is shown to have pushed the "policy of conciliation" to the most preposterous lengths. "We cannot find," write the Commissioners, "that he ever enforced an observance of his instructions by means of the law, or that he ever by mentioning a time within which an alteration was to be made took pains to put himself in a position to enforce it." The fact that every rule of law which it was Dr. Shier's duty to see enforced was over and over again, and in many cases habitually, violated, sufficiently justifies the Commissioners' censure of the weakness of his administration. His visits, morever, were too short to be of real use.

16. Joint Hospitals should on no account be encouraged.

Almshouse.—Within three months of allotment an employer may represent that an immigrant is permanently unfitted for labour by incurable disease, and, if the allegation be proved, the immigrant may be sent to the almshouse, the employer receiving back the amount of indenture fee paid. On the 19th January 1871, there were 13 Indian immigrants in the almshouse, blind, idiotic, maimed, or paralytic. A record of those under indenture should be kept at the Immigration Office. It does not appear to have been kept hitherto.

Material condition and Prosperity.—The fact that there are thousands* of immigrants, who have been 15 or 20 years in the colony, and who have not availed themselves of the privilege of repatriation proves to the Commissioners that they consider their position in British Guiana at least equal to what it was in India. There are, however, but few openings except agricultural labour. Still a few immigrants make their living by keeping carts, cows, lodging-houses, small shops, and by making cocoanut toddy; several have joined the police, and a few old sepoys have been admitted into the West India regiments, in which many more are anxious to enlist. As an exceptional case, the Commissioners mention a "Mr. Parahoo," who came as an immigrant, and is now a thriving livery stable-keeper. The cooly generally puts his savings into the form of jewellery. "There seems," says the report, "to be some need of legislation to remove doubts as to the ownership of property in such trinkets. The marriage law is loose among these people, and it is not clear that either a wife or 'reputed wife' ought to be allowed, if she leaves her consort, to carry away with her all the treasure he has accumulated, upon her person." Cow-keeping is a favourite investment; but the privilege of pasturing cows seems to be capriciously awarded on some estates.

At present the crown lands of the colony cannot be sold in smaller lots than 100 acres. This at 10 dollars an acre is prohibitive to the immigrant who may wish to purchase land. Drainage is also an expensive matter in the tropical Holland which Guiana seems to be. Hence the labourer can only purchase when there are in the market private lands for which the drains have been already constructed. An Ordinance of 1850 allowed the immigrant to commute his right to a return passage for a piece of Crown land. The provision, however, seems to have been a dead letter. But for 20 years ending 1870, the colony has paid some 100,000 *l.* for return passages, and the amount paid under this head is yearly increasing. A recent report shows that Governor Scott is considering the feasibility of settling Indian "villages" on the Crown coast lands, Government maintaining the sea-face embankment, and the village community the internal drainage works. Any such high land as would not require drainage is, as we have seen, situated at such a distance from the settled parts of the colony that it would not be suitable for the location of Indians.

Including both Indians and Chinese, 300 have taken out licenses for provision shops, 600 for dogs, 90 for carts and horses or donkeys, and three more for carriages for hire; a few hold licenses to retail opium and cocoanut toddy. The total sum paid for such licenses by immigrants is between 4,000 dollars and 5,000 dollars per annum. Some lend money to Portuguese shopkeepers; the interest is not high, and the security is bad. The Government savings' bank has not branches enough to make it generally useful; the interest, too, is only 3 per cent.; but on 13th June 1870,† there were 1,817 immigrant depositors, with deposits amounting to 138,425 dollars, or something over 70 dollars a head. The Commissioners estimate the value of the cattle owned by Indians at 636,885 dollars.

The Commissioners doubt the possibility of an accurate estimate of the amount of savings carried away to India. But the amounts *officially* remitted on account of 2,828 immigrants who returned between 1834 and 1869 was nearly 95,000 *l.*, or about 34 *l.* a head. "It seemed" to the Commissioners "to be the fathers of families who had thriven best; but we did not succeed in finding any one who had made a large sum of money without having been aided to his wealth by trade, and having lived for some time in the colony as a free labourer." One of the most successful was a Brahmin, who had accumulated

* A rough estimate puts them at 20,000. The Governor says that not more than one-fifth of those entitled to back-passage assert the right. In a recent report, of 4,315 re-indentures 2,145, or about half, were re-indentures of labourers entitled to back-passage.

† A more recent report shows 2,501 Indian depositors with savings amounting to 47,055 *l.*, or upwards of 230,000 dollars.

mulated an acknowledged sum of 800 dollars in eighteen months by *begging*. On this point of savings such figures as are available have been given in Part II.

Comfort and luxury in our sense of the words are not to be looked for among the Indian immigrants, nor does their absence imply extreme poverty. Gardens cultivated by the immigrants are rarely found. The Commissioners think some care expended in encouraging their formation would not be thrown away.

Moral Condition and Improvement.—Under this head the Commissioners first notice the "great prevalence* of wife murder." In an Indian population, where the men are to the women nearly as three to one, and where the restraints of caste and even of religion seem to be completely relaxed, it is not wonderful that sexual relations should be the cause of a large amount of crime. The "panacea for all disputes and quarrels between men and women," or between men about women, seems to have been "the removal of somebody." The Commissioners think that the penal law, even as existing, has not been administered with sufficient severity. The remarks of the Commissioners on the subject of marriage seem to me to show that the Immigration Office has something to answer for in its mode of treating the bond of marriage. It "appears to ignore all marriages." The Commissioners recommend that people claiming to be man and wife by virtue of a marriage contracted in India, should be required to register their marriage without delay, and that greater facilities should be given for the marriage of indentured immigrants in the colony. At present they must go to Georgetown to be married.

The Tadjah festival (meaning, I suppose, the Taziah, *i.e.*, the Muharram) seems to be a sort of amalgamation of the Muhammadam festival with the Hindu Huli, and is observed at "any time in February and March." It seems to be a disorderly business. Riots are, however, not common, but violent assaults on managers and overseers sometimes occur. "In other respects the immigrants are an order-loving people. The failing of the coolies is in the direction of common assaults, that of the Chinese in the direction of larceny." Missionaries do not seem to have been active among the immigrants, or to have met with much success. On the other hand, "except in the most remote parts of the colony, both coolies and Chinese appear to have abandoned all outward observance of their religion. We noticed but one Hindu temple in the Island of Wakenaam, and one high up the Berbice River." The exception seems to me curious. Governor Scott, in some recent letters, notices that among the Indians much demoralisation results from drink, and I deeply regret to see that he thinks the vice of drunkenness on the increase. I fear the temptation of cheap rum and the obliteration of caste have developed the habit of drinking, even in labourers of classes abstinent from alcohol in India.

The Commissioners estimate the number of children under ten years at nearly 5,000. The Planters' Committee's returns showed 1,300 attending school. But this estimate the Commissioners could not accept, and it is clear from their report that no real school system exists. This is not, however, altogether the planters' fault, for the temptation afforded by the facility the children have of earning 6 *d.* a day by light work is too strong for the parents.

The Creole Question.—Comparison of Wages, Past and Present.—This is chiefly discussed from the point of view of the Negro labourer. But as the immigrant's wages are by law made to depend on those of the creole, it is a subject of much importance for us too. The conclusion the Commissioners arrive at, from such data as are available, is that "the rate of wages is lower now than it was sixteen or twenty years ago,† and that there is very little difficulty in tracing the cause of this to the introducing of immigrants whereby the command of the labour market was taken out of the hands of the Negro." But the fall in wages has been slight during the last ten years, and "with a little care in regulating the number of immigrants to be imported annually according to the requirements of the colony," the Commissioners do not expect a further fall, supposing the extension of cultivation to continue. Comparing the present with a period of twenty years ago, there has also been a considerable rise in the prices of provisions and the necessaries of life generally, and this has been in a great degree due to the imposition, within that period, of import duties on articles in common use. This form of impost was adopted at a time of great depression, in order to catch in its meshes the creole labourers, *then* the most prosperous class in the colony. This justification of the import duties no longer exists, and "the colonial tariff" assuredly, as the Commissioners observe, "offers a fine field to some future financial representatives." Since 1857, however, the prices of the articles of common consumption have been pretty steady; the tariff has varied but little. On the other hand, "the amount contributed by import duties, excluding wine and spirits, is, when compared with the increase of population during the same period, far too nearly at a stand-still to show a healthy condition of colonial finance."

The Colonial Question.—Present Condition of the Sugar Industry.—Colonial Subsidy to Immigration.—These subjects are somewhat sketchily reviewed. But the conclusion of the

* But in point of fact the statistics on the subject are of the meagrest. An inquiry was made in India which resulted in the general conclusion that of the total number of persons murdered, one-fourth were women, while of these again about half were wives murdered by their husbands.

† This is certainly the case if Mr. Caird's statement made in 1853 be accurate, viz., that an able-bodied cooly working seven hours a day could easily earn from 30 to 40 cents.

the Commissioners with which we are concerned seems to be that the sugar industry of Demerara does stand upon a stable basis, and that there is no such probability of a sudden collapse as would make it desirable to check immigration on the ground of a possible *désœuvrement* of a large number of labourers. The condition attached is, however, one that should be insisted on. "It should be carefully ascertained year by year how far the taking up of new land keeps pace with the introduction of immigrants; and when this is found to flag, the other ought to be checked." It is suggested by Mr. Jenkins in his book "The Coolie," and to my mind pertinently enough, whether the best check upon an "unhealthy forcing" of immigration would not be supplied by making the planters pay the whole cost of immigration, instead of only sharing it with the general public of the colony, *including the immigrants themselves.*

It is but right to add that the question of remedying the state of things disclosed by the Commissioners' report has been vigorously taken up by the Colonial Office, and a draft Ordinance prepared under Lord Kimberley's instructions by Sir G. Young, a member of the Commission, has been forwarded to British Guiana. The provisions of that Ordinance have been explained in a separate note, but as we are now dealing with the past, or at most the present, I have not referred to them in detail here.

TRINIDAD.

THE materials at hand for a sketch of Trinidad are very scanty; the "Encyclopædia Britannica" (edition 1860) gives a brief account, from which I extract the following facts: —This island lies off the cost of Venezuela between 10° 5′ and 10° 50′ N. lat. and 61° and 62° W. long., and has an estimated area of about 2,000 square miles. The northern, eastern, and southern coasts are steep and lofty, and indented with few creeks or harbours, but the Gulf of Paria on the west, forms one vast harbour, and on this side the coast is low, the ground rising towards the interior. Three chains of hills traverse the island from east to west, thus forming two wide plains. The most rugged and lofty is that fringing the northern shore; it is interrupted by many valleys and passes, and in some places reaches the height of 3,000 feet. The central and southern chains are lower, consisting of rounded hills or knolls from 600 to 1,000 feet high. The surface between the ranges is occupied by plains and undulating tracts, and along the west coast lies a low sandy region partly interrupted by marshes. The island is well watered and the soil is generally fertile. The climate is esteemed healthy for the West Indies, though the heat is considerable, the temperature ranging from 70° to 85° Fahr. The island is exempt* from drought, and the winds blow regularly. The rainy and dry seasons are well marked, the former lasting from June to November, the latter occupying the rest of the year. The following passage apparently relates to the year 1856: "About 60,000 acres are in cultivation. Sugar, coffee, and cocoa are the most important productions; cotton, tobacco, and indigo are also raised. The principal articles exported are cocoa, raw cotton, sugar, molasses, rum, and hides, and the total value of exports in 1856 was 574,767 *l.*" The exports of sugar seem to have risen steadily from 483,000 cwt. in 1852 to 752,000 cwt. in 1867. The settled portion† of the colony is divided into eight counties, and the administration is conducted by a Governor, an executive council of three, and a legislative council of thirteen members, all appointed by the Crown.

The island was discovered by Columbus in 1408, and first colonised is 1588 by the Spaniards. In 1676 the French held it for a short time, but it was speedily restored to Spain; and in 1797 it was taken by the British, who have retained possession of it ever since. The population in 1851 was 68,600,‡ of whom about 40,000 were natives of the island, 1,810 Africans, about 4,000 East Indian coolies, and 720 of British extraction. Beginning in 1783, a large immigration from the French West Indian Islands took place, and the descendants of these creoles, white and black, probably contributes largely to the 40,000 "natives" of the census of 1851. The law is partly Spanish, partly English, and is administered by a chief justice and a Puisne judge.

The Trinidad law relating to emigration was consolidated into one Ordinance in 1870, and exhibits some points of difference from the legislation of the other cooly-importing colonies. The Ordinance is not express as to the financial basis of immigation in Trinidad, further than stating that an indenture fee of 5 *l.* is payable by each employer of labour for every immigrant indentured to him. Whether the balance of the cost of introduction and other charges are met from the general revenue, or, as is the case in most other colonies, from a special export tax, is not apparent.

The Immigration Department seems to consist of an agent general and two inspectors§ or

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* One seems, however, to have occurred in 1870.

† The estates employing coolies all lie on the west coast of the island, and are more or less contiguous.

‡ Mr. Kingsley says, it is "now far larger." The census of April 1871 is said to show 22,380 Indian immigrants of all classes, as compared with 13,488 in 1871. To the first figure must be added 4,545 children born in the colony of Indian parents, thus giving a total population of Indian extraction of 27,425 souls.

§ An assistant inspector has also been lately appointed.

or sub-agents, but I am not quite certain as to the number, or whether a sub-agent is the same as an inspector. The agent is charged with the usual duties, viz., inspection of immigrants upon arrival, allotment to estates, and inspection. Every estate must be inspected by the agent, or in case of his being prevented by illness or other cause allowed by the Governor, by one of his subordinates, once in every six months. According to Canon Kingsley, "one of these officers, the inspector, is always on the move, and daily visits, without warning, one or more estates, reporting every week to the Agent General." The powers of the agent far exceed those assigned to the corresponding functionary in any colony. He may, "in case it shall appear" to him "that any immigrant has been ill-used by his employer, or in case of any neglect of duty or breach of contract in the part of such employer, by notice in the "Royal Gazette," cancel the indenture of such immigrant; and no immigrant shall be allotted to such employer under any application previously made by him." In allotments the agent has discretion, but must not separate husbands and wives, nor children under the age of 15 years from their parents or natural protectors.

Contracts are for five years. The immigrant binds himself to work for 280 days of nine hours each in each term of 12 calendar months, for wages at the same rate "as may be at the time paid to labourers not under a written agreement residing on the same plantation or in the neighbourhood, for every day on which such immigrant shall work or be willing to work." "But," says Mr. Kingsley, "for this system task-work is by consent universally substituted. Recently an Ordinance has been passed prescribing 25 cents as the minimum wage of an adult male for a day's work of nine hours. If the immigrant is unable to work on account of sickness, he is to be supplied by the employer with "such allowances as the state of his health may require, or as may be prescribed by any regulation issued or to be issued by the Governor." It is not quite clear whether days of certified sickness count towards the 280 days of work required in each year. Wages are to be paid fortnightly and in money, and may be recovered in a summary manner before any stipendiary justice of the peace. Absence from work without lawful excuse* involves a penalty on conviction of seven days' imprisonment for a first, and 30 days for a second or subsequent offence, in case of a man, and of fine not exceeding 10 *s.*, or in default one month's imprisonment, in case of a woman. And the convicting justice is bound to order the immigrant to make good the days of absence by an equal number of days of work after expiry of indenture. Copy of this order is sent to the Agent General and by him endorsed on the immigrant's indenture. Each employer is bound to keep a "labour book" or record of the labour performed by every labourer, and the quarterly returns by employers include, among other items, a record of labour performed. When from such returns or otherwise it shall appear that 15 per cent. of the adult male immigrants on any estate have earned less than 6 *d.* a day for every day in any year, no further allotments are to be made to such plantation. The provisions of the law as to "vagrancy" are very stringent. Any immigrant found outside the land or house of his employer may, without warrant, be stopped by an officer of the Immigration Department, or by any person authorised in writing by such officer to do so, or by any public constable (indeed the latter is "required" to exercise this power), and unless the immigrant stopped can produce a certificate of industrial residence, or of exemption from labour or a ticket of leave signed by his employer, he may be taken before the nearest police station and detained till he can be taken before a stipendiary justice of the peace. If it be discovered to what plantation the man belongs he may be sentenced to seven days' imprisonment with hard labour; but if it "shall not be made to appear to such justice in respect of what plantation the services of such immigrant are due," and the immigrant cannot show that he has completed his industrial residence, the imprisonment may extend to three months. The magistrate is bound to order the immigrant on expiry of sentence to be taken back to his plantation; if known, I suppose. Employers are bound under a penalty of 20 *l.* not to grant leave, except for special cause to be stated in writing for more than 26 days in the year, or than seven days at any one time. The penalties against harbouring immigrants not under indenture to the person harbouring are also very severe. This phase of the Trinidad legislation appears to be due to the practice on the part of "squatters" on the island, and cocoa planters on the Spanish main of enticing away indentured immigrants.

For the first two years of indenture the employer is bound to supply rations. For each immigrant above 10 years of age the daily ration is 1 lb. rice, 4 ounces dâl (or such equivalent quantity of vegetable food as the agent may allow), 1 ounce cocoanut oil or ghí, and 2 ounces of sugar; for each child between five and 10 years of age half the above. For rations to those above 10 years of age 4 *d.* for each day may be deducted; those to children under 10 are given free. After 12 months of rationing the immigrant may apply to have his wages paid him in money, and the agent may make an order in writing to that effect.

The Act empowers the Governor to make regulations respecting the lodging, medicine, and medical aid, food, and clothing to be provided for immigrants, and to fix a penalty not exceeding 10 *l.* for breach of such regulations; also to make regulations for enforcing the observance by immigrants of cleanliness in and about their dwellings under penalty of a fine of 5 *s.* But copies of the regulations framed under this clause are not forthcoming. As to hospitals the law is express. No emigrants can be allotted to an estate, unless an hospital sufficiently ventilated and otherwise fit for the accommodation of patients

* In the absence of any commentary it is hard to understand how this is interpreted. Can a cooly absent himself from work for the first 85 days of the year?

patients is provided, sufficient to hold 10 per cent. of the number of indentured immigrants on the estate at the rate of 800 cubic feet per man. "Medical visitors" are appointed by the Governor, and are bound to visit every certified hospital in their respective circles at least twice a week. Over-crowding of a hospital, or neglect to send a sick immigrant to hospital, render the employer liable to a fine of 10 *l.*; and if the medical visitor shall report that any hospital is unfit to be used as a hospital, the certificate may be withdrawn and all immigrants on the estate removed. An important clause enables the Governor by notice in the "Gazette" to "cancel the indenture of any immigrant if the Agent General shall report that the accommodation provided for such immigrant is bad or insufficient, or that any immigrant requiring medical care and treatment has not been sent to hospital or received proper medical treatment, *or if the Governor shall on any other ground consider it requisite so to do.*" When the deaths upon any plantation amount to more than 7 per cent. in any year, no more immigrants are to be allotted.

On completion of the five years of indenture, together with any days of absence duly endorsed upon the indenture, the immigrant is entitled to a certificate of industrial residence, and on completion of 10 years' actual residence to a free return passage. The fee for replacing a lost certificate (2 *l.* 1 *s.* 8 *d.*) seems unnecessarily high. An immigrant may redeem the last two years of his indenture by payment at the rate of 5 *s.* a month for the unexpired term, plus 2½ *d.* for every day of absence from work endorsed on the indenture. He is then entitled to a certificate of industrial residence. He may also commute his back passage for a 10 acre grant of Crown land.

A clause in the Act empowers the immigration officers to enter upon any plantation, and inquire into any breach of the peace or offence against the Ordinance which may have taken place on the plantation, and to administer oaths and issue warrants. But it does not seem that they have further power to try any case. The Act appears to contemplate the stipendiary magistrates having jurisdiction in all cases of "breach of contract or neglect or violation of duty" *by the immigrant*, as well as in the specific cases on either side to which penal consequences are attached. But without some explanation of the working of the law the subject remains rather obscure.

Indentured	Men	7,437	
	Women	3,179	
			10,616
Unindentured	Men	3,017	
	Women	1,254	
	Boys	1,991	
	Girls	7,940	
			7,940
TOTAL			18,556

The last report for Trinidad appertains to the year ending 30th September 1871. According to that report there were then employed on estates in the colony the number of Indians shown in the margin. It is to be remembered that in Trinidad no immigrant under 10 years of age is indentured; hence all boys and girls under that age are entered among the unindentured. Of the 10,616 under indenture, 8,787 were under the first indenture of five years, the remainder, 1,829, were re-indentured on bounty for one year. Among the indentured the mortality was 474 or 4·46 per cent. There were also 53 deaths of children; but as it is not clear what proportion of the children belonged to the families of the indentured, among whom only is the registration of deaths maintained, the per-centage calculated by the agent upon the whole number, though apparently very favourable (1·44 per cent.), is quite valueless. The agent has no statistics of mortality among free resident coolies, but "believes that a compilation of deaths among this class, as well as of those among the coolies absorbed in the general population, would show very satisfactory results as to the sanitary condition of the Asiatic after acclimatisation."* But the agent's own table of deaths among arrivals of the years 1867–1871 inclusive, shows that the process of acclimatisation is very severe. I extract the table as a remarkable one:—

	1867.	1868.	1869.	1870.	1871.	
Arrived	2,402					
Died	107					
Rate	6·4					
Remained	2,235	Arrived. 1,655				
Died	134	126				
Rate	6·4	7·4				
Remained	2,101	1,529	Arrived. 1,829			
Died	78	109	75			
Rate	3·7	7·1	4·1			
Remained	2,023	1,420	1,744	Arrived. 2,211		
Died	47	56	162	77		
Rate	2·3	3·9	9·3	3·4		
Remained	1,976	1,364	1,582	2,134	Arrived. 1,823	8,879
Died	38	46	83	165	70	402
Rate	1·9	3·4	5·2	7·7	3·8	4·5
Remained	1,938	1,318	1,499	1,969	1,753	=8,477

It

* Dr. Mitchell, however, in his report for 1869–70, seems to accept a death-rate of 3 per cent. for the whole Indian population resident on estates.

It will be observed that since 1869 the mortality in the first year has fallen considerably, but that in the second year there seems to be a re-action. The agent attributes this double result to (1), the rationing system being made compulsory for the first year; and (2), its undue relaxation during the second year. On the whole, the mortality seems to have been rather on the increase, if the following figures, taken from such reports as are available, be trustworthy:—

Year.	Number under Indenture.	Deaths.	Per-centage.
1863 - - - - - - -	10,072	258	2·56
1864 - - - - - - -	9,787	334	3·41
1865 - - - - - - -	- - -	- - -	2·5
1870 - - - - - - -	10,247	492	4·80
1871 - - - - - - -	10,616	474	4·46

As to the wages generally earned, the information afforded is not very definite. From the report for 1870–71, it seems that "a task," *i. e.*, a day's task, was paid for at the rate of 25 cents to a free labourer. But a practice had grown up of paying the indentured cooly only 20 cents for the same amount, unless six tasks in the week were performed. The agent, however, says that at the time of report this practice has been discontinued. Governor Longden, in a Despatch, dated 25th May 1872, says that the general rate of wages had risen, and puts it at from 30 to 40 cents a day. We have already seen that a minimum of 25 cents has been established, but this does not preclude agreements to work by the task. It is admitted that under the old rule as to rate of wages, in many cases, the immigrant in the first year did not earn enough to pay for his rations, or in other words, 4 *d.* a day for every day of the year, and embarked on his second year of service "with considerable debt" on his shoulders. On the other hand, return emigrants carry away considerable savings. The Emigration Board reports that 3,201 emigrants have returned, carrying on an average nearly 20 *l.* each. In 1869, 372 carried away 16,087 *l.*; in 1870, 408 returned with 12,736 *l.*; and in the following year, 159 sailed with 1,716 *l.*, besides four who returned *viâ* Suez at their own expense, carrying nearly 2,000 *l.* in bills, and "a considerable sum in gold."

The number of absentees seems to be diminishing. Thus in 1864 there were 600 such cases; in 1870–71 only 279. The decrease is said to be due partly to the rationing clauses, perhaps, also, in part to the stringency of the regulations on the subject of "vagrancy."

The number of convictions of immigrants for breach of contract in 1870–71 was 745, a figure of somewhat sinister significance. Of cases against employers, there is no record. There seems little serious crime, but there were 418 cases of misdemeanour.

In the two years, 1869–70 and 1870–71, 253 immigrants redeemed either one or two years of their period of service. The system of commuting back-passage for grants of land seems to have been much in favour in Trinidad, and up to the end of 1871, 285 such grants had been made. In the Monserrat Ward, that most affected for this purpose, there were 357 adult men, 199 women, and 246 children settled on such lots, and the death-rate was said to be but one per cent. Some trouble seems to be taken to give these settlements a good water supply and carefully laid out dwellings, and to provide for the comfort of the settlers. For instance, areca palms and betel vines are supplied gratis from the botanical gardens. Comparing the figures of the census with those of the report of the Emigration Agent, there would appear to be, besides the Indians on estates, about 9,000 absorbed in the general population. The Emigration Board calculates the number of those who, having become entitled to back-passage, have foregone the privilege for one reason or another, as upwards of 7,000. Some attention is being given to education, though the average daily attendance in 1871 was only 131. The agent records the somewhat curious fact, that the coolies of San Fernando and the neighbouring estates had subscribed some 700 dollars towards the erection of a building for the performance of Christian worship.

JAMAICA.

Jamaica lies between 17° 40′ and 18° 30′ north latitude, and 76° 10′ and 78° 30′ west longitude. Its extreme length is 140, its extreme breadth 50, geographical miles; its area about 6,400 square miles. The island is traversed longitudinally by a range known as the Blue Mountains, rising in places to heights of 7,000 and 8,000 feet; this range, again, is intersected by other high ridges, and the whole central mass of highland is surrounded by a lowland margin. The main staples of export are sugar, rum, coffee, and pimento. Cocoa, cotton, and indigo were once among the number, but the industries have dwindled, or, as in the case of indigo, disappeared. The sugar-cane and pimento tree seem grown mostly in the lowlands; coffee upon the higher hills, while the table-lands of the west and south, with their luxuriant growth of guinea-grass, afford capital grazing, and form the site of the "breeding-pens," where cattle and horses of excellent quality are said to

to be reared. The Immigration Act of 1858 specifies, as the fields of labour, "any sugar, coffee, or other plantation, breeding-pen, or pimento-walk."

The population of the island at the last census was found to be 506,174 souls, of whom 9,797 were of Indian extraction. I imagine that at least four-fifths of the total population consist of pure-blooded negroes, but I have no recent figures.

The history and traditions of the colony can hardly be considered such as to make it *primâ facie* a favourable resort for labourers of the dark races. From the extermination of the mild aborigines by the Spaniards, to the severities of Governor Eyre, the white man has ever been in a hostile attitude to the black on the soil of Jamaica. Sir J. P. Grant admits that in 1868 the state of things in the Emigration Department had been so bad that he became convinced that if it could not be thoroughly reformed, the whole system must be abandoned. The colony fought hard against emancipation, and it was not till 1845 that Indian immigrants were introduced. In that and the two following years India sent upwards of 4,000 souls. Emigration then ceased for 12 years, the colony being torn by intestine disputes, and its commerce, meanwhile, diminishing. In 1859 emigration was resumed on a small scale, and in the 12 years, 1859-70, about 9,000 souls sailed from Calcutta, and about 500 from Madras.

The expenses of importing cooly labour seem to have been met by loans, which again were met partly by export duties and partly by specific payments by employers of the labour imported. Under these circumstances the duties must, I think, have fallen on the producers. At present the employer pays a direct contribution of 1 *l.* 10 *s.* for an adult, and 15 *s.* for a non-adult for each year of indenture.

The present state of the law and practice in regard to immigration cannot be better described than in the following extract from a Despatch from Sir J. P. Grant to Earl Kimberley, dated 9th April 1872. I have added as notes any additions which the other available papers may have suggested:—

denturing

"When an immigrant ship arrives in Jamaica, the immigrants are allotted by a responsible officer of the Immigration Department to such of the managers of estates as may have previously made application for them, under an indenture of service for five years.*

"But before any immigrants are allotted to any estates, or before any increase in the number of indentured immigrants is sanctioned, the sub-agent of the district in which the estate may be situated, is required to inspect the quarters in which it is proposed to place the immigrants, and to report to the Agent General of Immigration the description of buildings provided; whether they be new or old; whether the site is on dry ground and properly drained; whether the buildings are properly ventilated, and whether they are in a proper state of repair. And in all cases in which the accommodation has to be built, the sub-agent is instructed to urge upon the employers to provide detached cottages for residences, in preference to barracks, the cottage system being found to tend more to the health of the coolies and to be preferred by them, and such description of dwelling being, moreover, what they have been accustomed to at home.

"As a matter of fact the planters have most readily met my wishes in this respect, and the building of barracks has ceased. All fresh accommodation now provided for the immigrants is upon the detached cottage system. In his Annual Report, dated the 10th November 1871, the agent of immigration observes 'the new system of building detached cottages seems to have improved the condition of the immigrant. I am glad to say that, generally speaking, these cottages have been carefully erected by the different employers, and they are considered a great improvement on the barrack system.'

"With regard to this remark, as to the manner in which the cottages have been erected, I am given to understand that, on some of the estates, particularly the Holland Estates, in the parish of St. Elizabeths; the Frome and Fontabelle Estates, in the parish of Westmoreland; the Augusta Vale, Gray's Inn, and Orange Hill Estates, in the parish of St. Mary's, and the Plantain Garden River Estate, in the parish of St. Thomas, not only are the cottages well built and comfortable, but pleasing as well as healthy localities have been selected for their site, and that the scattered groups, in which form they have in some instances been distributed, present a cheerful and picturesque appearance.

"The law in respect of indenturing is the 27th Vict. (Session 2) c. 5; and it provides that it shall be lawful for the immigration agent to 'allot and assign' any Indian immigrant for 'any term not exceeding five years'; but the practice ever since the passing of that law has been to indenture the immigrant to one employer for the full term of five years. This practice seems to work well, and no complaints are made against it.†

llation of tures.

"The provisions as to cancellation of indentures are contained in the 24th and 25th sections of the Act 22 Vict. c. 1. The immigration agent is empowered, with the sanction of the Governor, to cancel the indenture of any immigrant who shall not have been duly

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* A clause of the Act of 1858 seems, however, still to be in force reserving contracts for not more than three years made outside the colony if fully attested. Probably the clause is never applied in case of Indian immigrants.

† Pending allotment, the immigration agent provides food and lodging. The same officer also is bound to keep up a full register of immigrants under indenture, the employers being required to report births and deaths. In 1858 the first term of indenture had been fixed at two years, capable of extension for three successive terms of one year each. In 1864 the five years' system was introduced. The law makes provision to prevent the separation of husbands and wives, nor are children under 15 years of age to be separated from their parents or natural protectors. The services of immigrants for the remainder of their term of indenture pass with the estate.

duly paid, or who shall have been ill-used by his employer, or in case there shall have been any neglect of duty or breach of contract on the part of the employer; and the immigrant agent may also, with the sanction of the Governor, at the request of the employer and immigrant, cancel any indenture for the purpose of re-indenturing the immigrant.*

"By Law 34, of 1869, section 4, the employer is bound to issue rations in kind, uncooked, and including fuel, to each immigrant, according to a scale set forth in the law. The cost of these rations is fixed for each locality by the Governor, from time to time, by notice in the 'Jamaica Gazette,' and the employer is allowed to deduct the amount of such cost so fixed, and no more, from the monthly wages payable to the immigrants. Feeding.

"There is no doubt as to the sufficiency of the scale† of rations, and no complaints, in regard to that scale, have been made. The cost may be taken at 3 *s.* 6 *d.*‡ a week, or 6 *d.* a day. This is the smallest amount which an indentured immigrant obtains, under any possible circumstances, unless he happens to be in prison, or unless he deserts. Desertion is now rare. And this amount is equivalent to four annas a day for every day in the year.

"The law requires that rations in kind shall be supplied to every immigrant under indenture; and if no special order is passed, this rule applies for the whole term of his five years' indenture. The law also requires, absolutely, that rations shall be supplied for at least three months after arrival in Jamaica. But if at any time after the expiration of three months, the agent general of immigration is satisfied that the immigrant is regularlyearning and receiving, if a male, 6 *s.* a week, or if a female, 4 *s.* 6 *d.* a week, and is further satisfied that the immigrant can, without difficulty, obtain a sufficiency of wholesome food, then the Agent General, on the application of the immigrant may, by a written order, direct that the immigrant shall no longer receive rations, but shall receive the whole of his or her wages in money, payable weekly. If at any time after thus being permitted to provide his or her own food, the immigrant shall cease to earn and receive regularly, whether in the case of a male or female, at least 3 *s.* 6 *d.* a week, the Agent General or the sub-agent of the district is required to revoke the order taking the immigrant off the ration list, and by written order again to place him upon it.

"By these provisions it will be seen that a supply of good and wholesome food, such as he has been accustomed to, is secured to the immigrant for, at the very least, three months after arrival, embracing the most critical period of his residence; and that it is only when an immigrant who is actually earning wages much more than sufficient weekly to enable him to purchase his own food according to his own tastes, has the opportunity readily to procure such food, that the estate is relieved from the obligation of providing good, wholesome, and customary food for him; and further, it will be observed, that whenever the immigrant may cease to earn such an amount of wages as shall be sufficient to enable him to purchase a proper amount of good and wholesome food, no matter from what cause soever, whether sickness, or bad weather, or leave, or misconduct, or any other reason, good or bad, then the obligation of the estate to provide him with such food is again imposed. Out of 4,608 indentured immigrants there were, on the 12th of February last, 513 receiving rations in kind; the rest, at their own desire, having been permitted by the Agent General of Immigration to provide themselves with food under the circumstances before explained.

"When the immigrants are first allotted to the estates, the employer is required to issue gratis to each man a shirt and a pair of trousers, and to each woman a jersey with sleeves and a petticoat. Supply of clothing.

"Every immigrant is bound by law to work for his employer for six days in each week, and for nine hours of each day, Sundays, Good Friday, and Christmas Day excepted, and except in case of sickness, such bad weather as prevents field-work, or other cause beyond his control. The working day is fixed at nine hours, as was also nominally the case under the old laws. But in practice the indentured labourer on day wages goes home whenever he has done what is here recognised as a fair day's work, which is all that is incumbent on him to do; and this is accomplished in much less than nine hours by a man who does not waste his time. The employer is bound to give work for the immigrant to do for six days in Work and wages.

* Sir J. P. Grant seems to have overlooked the local Act, 23 Vict. c. 31, which still further extends the power of cancelment. "If the Agent General shall report that the accommodation provided for any immigrant is bad or insufficient, or shall report any proved misconduct of the employer towards any immigrant; or if, on any other ground, the Governor shall consider requisite, the Governor may direct the said Agent General to cancel the indenture of any immigrant; and also if he shall so think fit, of every other immigrant indentured to such employer."

† The present scale seems to be for each adult, *i.e.*, each person over 12 years of age:—

1½ lb. rice, or 2 lb. ground maize, or 2¼ lb. cooked manioc or 5 lb. raw manioc, or 4 lb. raw yams or raw cocoas, daily.
8 lb. peas, monthly.
6 lb. salt-fish or 8 lb. mutton, beef or goat's flesh, monthly.
1 lb. ghi, or one pint sweet oil or cocoa-nut oil, monthly.
1 lb. salt monthly.
2 oz. pepper or pimento monthly.
Sufficient fuel.

For every non-adult immigrant above the age of one year, half the above. The rations must be given in kind, not by order on a shopkeeper.

‡ The cost chargeable to the immigrant, as at present notified, varies according to the district from 3 *s.* to 3 *s.* 3 *d.* a week.

in the week, unless the weather be so bad that field-work is impossible, under penalty of having to compensate the immigrant for every day's wages lost to him through having no work given him to do. For each day's work an immigrant is entitled to be paid, if a male adult, not less than 1 *s.* a day; if a female adult, not less than 9 *d.* a day; and the immigrant on his part is bound, in consideration of such payment, to do every working day a fair day's work of nine hours, having regard to age and strength. By mutual consent, however, leave for one or more days may be given and taken, and for such days no wages are payable. But, should both the immigrant and his employer desire it, an agreement may be entered into for working by task. The rates of task-work, in this event, must be sanctioned by the Agent General of Immigration; and this officer is bound, before recognising the agreement, to ascertain that it is freely and intelligently made by both parties; and, further, the Agent General has to satisfy himself that the rate of task-work is sufficient to afford wages of at least 1 *s.* a day, with only ordinary exertion. This agreement can be put an end to at any time by the Agent General of Immigration, should he find sufficient cause for so doing. Out of 4,608 indentured immigrants, there were on the 12th of February last, 1,056 upon task-work, the remainder being upon day wages.*

"It is necessary here to state that when under the Jamaica Law XXXV, of 1869, 'day wages' are mentioned, day wages are meant. Under the old Jamaica laws and indenture bonds the only stipulated pay was day wages. But in practice neither day wages nor anything having a resemblance to day wages were known. Thus, when a man was too weak to do the day's work of a strong man, he was half-starved, or more than half-starved, and so was made weaker still, recovery of strength being often made impossible to him. By the new law, if a weak man works fairly in proportion to his strength for working hours, he gets not only his full meals but his full day's wages. It is not his fault if weakly men are imported from India.

Penalties for not working.

"No employer of an indentured immigrant has any power in his own hands to stop an immigrant's wages, either for a day, or for any portion thereof. For every working day upon which work could be performed, and the immigrant was not on leave or sick, or on task-work, the employer is bound to pay the full amount of the day's wages, 1 *s.* in the case of a male, or 9 *d.* in the case of a female. The employer is not permitted to be the judge as to whether the work was performed and the money earned or not; but in cases of failure to work fairly, the employer's remedy is by complaint to the immigration officer upon his periodical visit to the estate, who, after a summary investigation, on being satisfied of the justness of the complaint, may adjudge the offender to forfeit to his employer one day's wages (exclusive of rations), or such portions thereof as may appear to be proper for every day's default or portion thereof; and the immigration officer is entrusted with the further power of sentencing and committing the offender to the nearest prison for any term not exceeding one month with hard labour; and in cases of persistent idleness and determined breach of agreement, for which the limited powers of the immigration officers may be considered insufficient, the offender can be brought before the district court, and may be punished by a fine not exceeding an amount equal to three days' wages for every day's default, or by imprisonment with hard labour for a term not exceeding two months, or both penalties may be inflicted, and besides the offender being adjudged to forfeit to his employer the whole, or a portion of the wages payable for the days on which default was made; and in cases of a second conviction before a district court the term of imprisonment with hard labour may be extended to four months.† I am not aware, however, of one single instance in which a case of complaint has been brought before the district court. I believe that all the cases of complaint which have occurred have been disposed of, and, as the absence of resort to the district court would tend to show, satisfactorily disposed of, by the officers of the Immigration Department.‡

"While, therefore, the law carefully protects the immigrant, and compels the employer to pay him the stipulated rate of wages, whether he considers those wages to have been earned or not, and does not permit the employer to be the judge in his own cause, so does it protect the employer, and furnish him with the means of recovering wages paid, but

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* The immigration agent says a good workman can at task-work earn 1 *s.* 6 *d.* or 2 *s.* a day without fatigue. But from these figures it appears that the average earnings by task-work are lower than by day-work. He gives the following statistics for March 1872: average weekly earnings (calculated on each district) of male day-labourers 5 *s.* 2 *d.* to 5 *s.* 11¾ *d.*; of female day-labourers 4 *s.* 2 *d.* to 4 *s.* 6½ *d.*: of male task-labourers 4 *s.* 1¾ *d.* to 5 *s.* 8¼ *d.*; of female task-labourers, 3 *s.* 1 *d.* to 4 *s.* 8¾ *d.*

† If the accused immigrant is acquitted, the judge may award compensation for loss of time as well as costs and expenses.

‡ Sections 27, 28, 42, and 43 of the local Act of 1858 seem, however, still to be in force, though they are not noticed by Sir J. P. Grant. Desertion or absence, except from illness, for more than a month in any year has to be made good by extra service of equal length or by a money payment. Absence under imprisonment comes under this head; but if wages have been abated for absence, the immigrant cannot be called on to serve extra time. Employers are bound to give the police notice of desertion, and it is lawful for "the employer or any servant of his, or for the immigration agent, or any police constable or person enrolled as a rural constable, to stop without a warrant any immigrant who shall at any time (except Sundays or holidays) be found during the ordinary hours of work at a distance of more than two miles from the estate in respect of which his services may be due," and if the immigrant cannot produce a certificate of industrial residence, or a ticket of leave signed by his employer, he may be reconveyed to the estate, or, if he will not disclose the name of the estate, may be brought before a justice of the peace, who may commit him to prison for 30 days.

but not earned, and of punishing an immigrant's idleness or misconduct by means of a summary and quasi-judicial process conducted by a disinterested officer.

"Due provision has also been made in 'Law XXXIV of 1869' for the protection of the immigrant against his employer in cases where the employer shall, to the injury of the immigrant, commit a breach of any requirement of the immigration law. Besides the power* of fining the employer given to the officers of the Immigration Department by the old laws, the Agent General of Immigration, or a sub-agent of immigration, is empowered, under the 14th section of the new law, in cases of complaint made by any immigrant labourer for non-payment of wages, or for breach of any requirement of the immigration law, or for any injury or damage sustained, to file an action, on behalf of such immigrant, in the court of the district judge, at the risk and cost of the immigration fund. And in cases of persistent breach of the requirements of the law by any employer of immigrants, the officers of immigration may have recourse to the district court without any complaint being in the first instance made by any immigrant labourer; and, should the employer be adjudged guilty of such breaches of the law, he is punishable by a fine not exceeding 50 *l.* with costs. Penalty on employer for breach of law.

"I am happy to say, however, that I believe there is but one instance on record in which any necessity has arisen for putting this provision of the law into force; and in that instance, although the case was entered for trial, it was afterwards withdrawn by the immigration officer, as, before it could proceed for trial, the wages claimed by the immigration officer on behalf of the coolies were all paid up.

"The care of the sick is provided for in Jamaica by Sections 21 to 31 of the new law. The provisions for this purpose are upon a new principle, as making the medical attendant of the coolies a Government officer, instead of a servant of the employer. They empower the Government to establish and maintain union hospitals, that is, hospitals common to several estates lying near together. There are already 11 of these union hospitals in Jamaica, by which medical care of the indentured immigrants on 44 estates is provided for. Every estate not connected with a union hospital is required to provide its own hospital on the estate. Government medical officers are appointed to attend to every estate. The medical officer is required by the law to visit every estate to which he is appointed at least once every fortnight, and where there may be no union hospital attached to such estate, as much oftener than once a fortnight as may be necessary in case of sickness occurring. He is also bound to attend at any time when summoned by the person in charge of the estate on account of the sickness of an indentured immigrant. The medical man being no longer the servant of the employer, but a Government officer, has nothing to influence him except his professional feeling of interest in his patients, and thus he becomes an unimpeachable witness in all cases turning upon questions of health. The care of sick.

"It is satisfactory to find that these measures have not been without good result. Last year the average death-rate of indentured immigrants, which had been in Jamaica much higher, was not more than 2·6 per cent; and on 41 estates, upon which 1,575 indentured immigrants are employed, out of the 87, no deaths at all occurred.

"In Jamaica, on the 12th day of February 1872, there were on the books of the Immigration Department 4,608 indentured immigrants. These are employed on 87 estates, which are allotted into six regular districts, each district being in charge of a sub-agent of immigration. There are besides two small outlying districts in which the Government medical officer acts as sub-agent. It is the duty of the sub-agent to visit such estates at least once every month, although, as a matter of fact, estates are visited oftener. Travelling charges being allowed to sub-agents on the principle of mileage, there is no difficulty in securing their frequent visits. Indeed it has been found advisable to desire them not to visit estates without special necessity oftener than twice a month, whilst they are required to visit all their estates at least once a month. The sub-agent on his visits examines the books, to see that all the wages that should have been paid have been paid; he hears and adjudicates complaints both on the part of the employer and employed; he ascertains that the rations have been duly furnished; he inspects the hospitals; he is required to keep up a 'summary case book,' and a general note book in the form of a diary; and, in short, it is his duty to examine minutely and carefully into the general condition of the indentured immigrants, and especially to ascertain whether the law has been fulfilled in all its provisions, or not. The result of his investigation, in regard to earnings and health, he records in monthly returns. These returns are rendered to the Agent General of Immigration, who, after examination, and calling for any further report or explanation that may be necessary, sends them up to the Governor with a certificate that the wages have been duly paid to the indentured immigrants according to law, and that in cases where the full weekly amount is shown not to have been paid, the deficiency is owing to lawful causes duly ascertained. As the visits of the sub-agent for the above purposes Immigration staff.

* The "old laws," however, seem very much superseded by Section 15 of the Act of 1869, which declares that "the Agent General and sub-agent shall have power to try and determine, in a summary manner, all cases of alleged breach of this or of any other immigration law where he may be of opinion, when an indentured immigrant is defendant, that imprisonment with hard labour for a term not exceeding one month will be a sufficient penalty, and when an employer, or any attorney, agent, or servant of an employer is defendant, that a fine not exceeding 5 *l.* will be a sufficient penalty; and these officers are hereby authorised in all such cases to inflict the penalties authorised by law to such extent." This, with Section 50 of the Act of 1858, seems to give jurisdiction to the Immigration Department in all but serious cases of breach, whether of agreements or of the immigration laws.

purposes must never be less frequent than monthly, except in consequence of his insufficiency or negligence, no abuse can have long existence; and it is for the Agent General to see that the sub-agents are neither inefficient nor negligent.

Condition of immigrants after expiration of indentured service.

"After the five years' term of indentured service has expired, the immigrant is then at liberty to follow any occupation he may please. As a fact, the great majority continue to work as free agricultural labourers on the estates; but some become shopkeepers, and several have amassed considerable sums of money in following this pursuit. In my opinion this period of five years' free labour is by far the most valuable feature in the whole system, not only in respect to the immigrant himself, but also in respect to the planters of the colony as a body. There are planters who employ free immigrant labour largely, who have no immigrants indentured to them. After a residence of 10 years in Jamaica, every Indian immigrant becomes entitled to a free passage back to India, or he may forego this right by accepting a grant of 10 acres of land, or a money payment of 12 *l.*, or a proportion of each; and every immigrant who becomes entitled to a return passage, and claims it, is entitled to a payment on account of demurrage, at the rate of 25 *s.* for every six months he may be detained for want of a ship, after he has become entitled to his return passage.

"Last year 2,140 of the Indian immigrants in Jamaica were entitled to back passage; and of these, 925 took advantage of the opportunity and returned to India; and 1,215 commuted their claim for a payment in money, preferring to settle in Jamaica as permanent colonists. This year the proportion who will elect for bounty is expected to be very much larger.*

Invalids.

"Return passages are also granted to immigrants at any time during their industrial term of 10 years, who from chronic sickness, or from accident, or from other cause, become incapacitated for labour. In certified cases of this nature an estate is relieved from an indentured immigrant thus incapacitated, and the invalid is removed to the coolie depôt, established in Spanish Town, where he receives careful medical treatment, and all his necessary wants are supplied, until an opportunity occurs for returning him to India. The depôt is also open for the reception of all non-indentured sick and destitute Indian immigrants; from amongst whom, also, incapacitated invalids out of indenture, but still in their term of ten years' residence, are sent back to India. During the year ended on the 30th September last, 311 immigrants were treated in this institution, viz., 241 male adults, 47 female adults, 13 male children, and 10 female children. Out of these 209 were discharged cured, 40 were relieved, 9 died, and 53 were still in the depôt on the 30th day of September 1871. About one-half of these last will be sent to India in a ship now in Kingston Harbour, chartered to convey returning immigrants to Calcutta.

Conclusion.

"I have every reason to believe that the laws, and the practice followed under those laws, as now existing in Jamaica, in respect of Indian immigrants, are such as give pretty general satisfaction. They are certainly such as are just and equitable, both to the employer and to the employed. On the part of the employer I am not aware of the existence of any complaint; and on the part of the employed it is believed that the vigilant supervision that is exercised by the Government, through the Immigration Department, effectually secures to the immigrant his full rights, and fulfils all the expectations that are legitimately held out to him in India."

Though the climate of Jamaica, when free from yellow fever, is not considered unhealthy, the death-rates among coolies of late years have certainly been high. Thus, of immigrants introduced in the season 1868–69, 4·54 per cent. died before 30th September 1869; among the same batch in the following entire year (30th September 1869 to 30th September 1870), the mortality was 7·91 per cent.; in the third year (ending 30th September 1871), the mortality among them fell to 2·5 per cent. The immigrants of 1869–70 lost 7·23 per cent. in the first fragment of a year, 7·29 per cent. in their second (a whole) year. Of the coolies introduced in 1870–71, 1·88 per cent. died in five months, equivalent to an annual per-centage of 4·51. This slight improvement Sir J. P. Grant attributed to the improved hospital arrangements. But the Table proved that the district of St. Thomas was exceptionally unhealthy, and it has been decided to refuse allotment of new immigrants to any estate there situated. Lord Kimberley has also urged the adoption of the rule refusing immigrants to any estate showing a mortality exceeding 7 per cent.

ST. VINCENT.

St. Vincent is one of the windward group of the Antilles, and lies between north latitude 13° 10′ and 13° 25′, and west longitude 61° 10′ and 61° 20′. It contains an area of 130 square miles. Historically it seems, since its colonisation in 1714 by the French, to have shared the fortunes of Grenada. The appearance of the island is thus described by Mr. Carlyle (Life of John Sterling, Part I, chapter XII), "an interesting isle; a place of rugged chasms, precipitous gnarled heights, and the most fruitful hollows; shaggy everywhere with luxuriant vegetation; set under magnificent skies, in the mirror of the summer seas; offering everywhere the grandest sudden outlooks and contrasts." The island

* The total number of immigrants introduced up to the end of 1871 was 14,469; of those returned to India, 2,773. There left the island in 1871, 925 Indians, carrying ascertained property of the value of upwards of 17,000 *l.*

island is volcanic and apparently liable to hurricanes (from which, by the way, Grenada is said to be exceptionally exempt). An eruption of the huge crater of the "Soufrière" took place in 1812, and Mr. Carlyle extracts Sterling's graphic description of a tornado in 1831. The climate, however, though moist, is said to be healthier than that of any other of the West India Islands. In 1835, the extent of cultivated land was 21,000 acres, the productions being the sugar-cane, arrowroot, cocoa, and cotton. The annual export of sugar seems about 14,000 hogsheads. The population, by the census of 1871, numbers more than 35,000, of whom 14,500 are put down as labourers. Subordinate to the Government of the Windward Islands, the colony is administered by a Lieutenant Governor with a Council, at once legislative and executive, of 12 members nominated by the Crown.

The financial basis of emigration is described in the law of St. Vincent as the payment of two-thirds of the cost by the planting interest, and of one-third from the general revenues of the colony. The planters appear to pay their share partly in the form of a direct contribution of one-fourth of the cost of importation of the coolies allotted to each estate, and partly in the form of a special export tax upon sugar, and the other products of the cane.

Contracts can now be made in India. The first term of indenture is for three years, upon the expiry of which the immigrant must either re-indenture for another two years, or redeem this latter term by the payment of 5 *l.* Five years' "industrial residence" entitles to a certificate from the agent, and upon completion of three years' further residence the immigrant upon payment of 7 *l.* 5 *s.* 10 *d.* is entitled to a back passage. If, however, he shall have served his last three years of residence under indenture, he is exempted from any payment, and can claim an allowance at the rate of 2 *l.* 10 *s.* per annum for the interval before provision of the means of return. Further, he may commute his back passage for a bounty, and re-indenture again, in which case, except as to rations, he is placed in the position of a new immigrant. The bounty offered is on the following scale:—

	£.	s.	d.
If the re-indenture be for 1 year - - - - -	2	1	8
,, ,, 2 years - - - - -	3	6	8
,, ,, 3 ,, - - - - -	5	4	2
,, ,, 4 ,, - - - - -	7	5	10
,, ,, 5 ,, - - - - -	10	–	–

This does not seem a very equitable arrangement, as a back passage must, in any case, be worth more than 2 *l.* 1 *s.* 8 *d.* to the labourer.

The minimum rates of wages are fixed by law. For this purpose all immigrants are divided into three classes according to age; the first class embracing all over 16 years of age; the second those between 8 and 16 years; the third all under 8 years of age. The wages of the first class are not to be less than 10 *d.* a day, the day consisting of nine hours. If the ordinary task performed by unindentured labourers be completed by the immigrant in less than nine hours, such task is to be considered a day's work. If a cooly is able, and chooses to undertake "heavy work" he is to be paid at the same rate as creole labourers performing such work. Immigrants of the second class must receive not less than 5 *d.* a day; if they perform more than half a "task" they are to be paid at the rate of 10 *d.* a task. Immigrants of the third class are not to be put to work without the consent of their parents, and are to receive 3 *d.* a day. Extra time is to be paid at the rate of not less than 2 *d.* an hour. The agent is directed by law to give the preference in allotment of labourers to those estates "where the highest wages are paid, and where there is least dissatisfaction among the immigrants." Wages are to be paid monthly in cash without deduction for stores supplied. An exception to this, however, occurs in the second and third month of indenture. For the first month the employer is bound to supply rations in addition to the money wage; for two following months he may, with the special permission of the Governor, keep his immigrant labourers on rations, and deduct from their cash wages the value at a rate to be laid down by the same authority. The ration for the first month is as follows:—10 lb. rice, 3 lb. salt-fish, ½ lb. butter or ghí per week for each first class immigrant; two-thirds of this for each immigrant of the second, and one half for each of the third class.

An immigration agent is appointed on a salary of 100 *l.* a year. On arrival of a ship carrying immigrants he is bound to go on board, and jointly with the health officer of the Government report on the observance of the rules during the voyage. Bounty to the commander and surgeon is only paid on his certificate. He is bound to maintain a register, it being the duty of planters, under a penalty for default, to send in half-yearly returns of all immigrants on their estates, and to report births, deaths, and desertions. The agent receives applications for labour, but accepts none unless the employer satisfies him that "comfortable and sufficient accommodation, with a suitable hospital and medical attendance according to law, has been or will be provided." Immigrants are located with the approval of the Governor on such plantations as they may prefer, or if they have no preference, are distributed by the agent. Wives and husbands, children and parents must not be separated, and a contract must be entered into upon allotment. The agent is bound by law to inspect all estates in January and July of each year, and to pay special visits when ordered by the Governor. A right of entry and inspection is reserved to him and a penalty of 10 *l.* attached to the offence of obstructing him in his duties. He does not

not seem to have any assistants; but the law empowers the Governor to retain in the island the services of the interpreters who, in the proportion of one to every hundred souls, are supposed to accompany immigrants on board ship.

Arrived on an estate, the immigrant is bound, except in case of illness, to work nine hours a day except Sundays, Good Friday, New Year's Day, Christmas Day, and such other holidays as the Governor may fix. On the other hand, the employer is bound to provide sufficient work for those able to work, and to provide a proper dietary for the sick. A daily muster-roll is prescribed by law, but I am not sure whether it is not, as in British Guiana, superseded by the pay list. "Absence without reasonable cause from roll-call, or from work, neglect or refusal to finish work, drunkenness, wilful disobedience of orders, insolence, neglect of duty, misconduct, or desertion of service" are breaches of contract punishable by forfeiture of wages due, not exceeding the wages of one week, and fine not exceeding 4 *l.*, or imprisonment with or without hard labour for 30 days. In charges connected with absence from work, the muster-roll must be produced, and, if that document be not found *en règle*, the charge is to be dismissed. A later law provides specially that in the case of women absent from work on account of pregnancy, sickness, or other physical cause shall not be punishable. And the penalty for absence without reasonable cause is thus laid down for women; fine not exceeding 10 *s.*, or in default imprisonment not exceeding one month, together with extension of indenture for every day of absence. Such extension does not seem to be contemplated in the case of male immigrants. Wilful damage done by an immigrant to property or live stock is punishable by fine or imprisonment within the same limits, and in case of complaint by an immigrant the value of time of absence, or of damage done to property or stock may be set off against any award made as against the employer. Desertions should be reported to the police within 24 hours of their occurrence. The employer, any servant of the employer, or any policeman, may apprehend without warrant any immigrant found on a day on which he is bound to labour at a distance of more than two miles from the estate to which he is indentured, without a ticket of leave signed by his employer, and may cause such immigrant to be taken back to the estate. Or he may be taken before a police magistrate or two justices "to be dealt with according to law." The meaning of the last phrase is not clear to me. On complaint against an immigrant for breach of contract he may plead "ill-usage or other good and sufficient cause." Ill-usage by employer or any of his subordinates is punishable by a fine of 10 *l.* And if any employer be convicted of "gross or repeated ill-usage or ill-treatment of any immigrant," the Governor may direct either such immigrant or all immigrants indentured to the particular estate to be released from their contracts. In any case of complaint, whether by employer or immigrant, the magistrate may, in addition to any legal award, make order for payment of wages due, or may order wages to be withheld or may release either party from their contract. All complaints are to be heard by a police magistrate, or by two justices, and they must be made within 30 days of the occurrence complained of, no abatement of damages being allowable for misconduct which may have taken place at any time exceeding 30 days before complaint.

The law expressly declares that every estate having immigrants upon it shall be provided with "comfortable and sufficient dwellings and with a proper hospital and hospital furniture, medicine and nurses." Neglect of this provision renders the employer liable to a fine of 4 *l.* and a like sum for every fortnight of persistence in default. If a planter be twice convicted of breach within three months, all immigrants may be removed from the estate. Till lately the planter was also bound to provide a licensed medical practitioner; but a recent law has divided the island into five medical districts, each with a *Government* medical officer, bound, among other duties, to attend immigrants and to visit and inspect plantations. The salary of each of these medical officers is not to be less than 200 *l.*, and the total salaries of the five not to exceed 1,200 *l.* per annum; but they receive fees for some of their duties, whether for attendance on immigrants I cannot clearly make out. The planters are bound to contribute towards the charge on account of these doctors, to the extent of 12 *s.* 6 *d.* a year for each immigrant above eight years of age in their employ. The Governor in Council is empowered to make rules as to lodging, medicine, medical attendance, care, food, clothing, and general treatment, and such rules are to be held as forming part of the contract. Brief rules have accordingly been laid down: most of them have been noticed in their place. It only remains to notice that the houses provided are required to be whitewashed, clean, floored, and waterproof, with an allowance of 50 superficial feet to each immigrant, and a separate room for each married pair. Under the old practice of medical attendance provided by the employer without Government intervention, the medical man was bound to visit each estate not less often than once a week. Any person permanently unfitted for labour by sickness or other cause receives a certificate of exemption from labour, and may by order of the Governor be sent back to India at the expense of the colony.

Such is an abstract of the regulations. The reports, of which there is no regular series, are very meagre and obscure, and do not throw much light on the condition of the immigrant in St. Vincent. I collect such facts as they do yield. In 1864 the earnings are stated to have been nearly four dollars a month on the average; but this is doubtful, for during the first half of 1867 a total number of 1,223 souls appear to have earned 8,821 dollars, or only an average of 7·21 dollars *for the half-year*. More recent reports show a higher average; for instance, during the second half of 1871, 1,442 immigrants appear to have earned upwards of 18,000 dollars, or 12·65 dollars a head, all round. But the earnings of

of the two sexes and the different classes not being distinguished, an estimate of the earnings of an able-bodied man cannot be made. From the brief notices in reports, the wages question does not seem in a very satisfactory state. For though the Attorney General has stated that the immigrant working nine hours a day to the best of his ability is entitled to the minimum wages of his class, the planters lean towards task-work, and at one time only paid newly arrived immigrants half the stipulated minimum. Similarly, though the law officer declared that only the magistrate could sanction any deduction from the minimum wage, it has been the practice for the employer to make stoppages, a practice certainly sanctioned by one of the rules passed by the Governor in Council. The report for the second half of 1870 observes that, though the law makes 2*d.* an hour the minimum payment for extra time, Creole labour can be got at a cheaper rate. Hence, in "the buildings," *i. e.* in sugar *manufacture*, Creoles as a rule are employed. But coolies have in some instances agreed to accept Creole wages and work in the buildings. These wages are said to be from 30 to 36 cents. a day; but the hours are not stated. Clearly they must be long hours, or Creole wages would *not* be cheaper than a rate of 24 cents. for the first nine hours, and four cents. for each subsequent hour.

Convictions for breaches of contract seem generally to be few. There were—

In the second half of 1867	5 cases.
„ first half of 1868	4 „
„ second half of 1870	24 „
„ first half of 1871	8 „
„ second half of 1871	16 „

These cases seem all cases *against* immigrants. The punishments consisted of imprisonment for terms varying, in the last period of report, from twelve days to one month. The marked increase in the number of cases in 1870 is attributed by the agent to the excitement among the coolies, owing to the investigation into certain "cases of cruel treatment" on one estate. No further particulars are given. The report for the second half of 1870 mentions complaints, well founded seemingly, of insufficient accommodation, short wages, and "rough" treatment; and, at any rate under the old system, the doctors' visits seem to have been both hurried and irregular.

There is little crime among the Indian population, though one or two cases of arson appear in almost every report. As to return emigrants' savings little is known; 13 coolies by the *Harkaway* carried 334*l.* of savings. Of about 500 souls who in 1870–71 became entitled to free back passage, 20 elected to return to India, 225 re-indentured on bounty, and 239 settled in the island as traders or labourers.

The island has certainly maintained its reputation for comparative healthiness; the death-rate has never been high for the West Indies. The following figures give an approximation, but a close one, to the rates of mortality. The population has not, however, been calculated with great nicety, that at the close of the period being taken to work with—

PERIOD.	Population.	Deaths.	Per Centage of Mortality per Annum.
First half of 1864	550	9	3·26
Year 1865	-	-	3·32
Year 1867	1,223	13	1·06
Year 1868	-	-	2·58
Year 1869	1,181	12	1·01
First half of 1871	1,126	12	2·12
Second half of 1871	1,442	20	2·76

The comparatively high death-rate in the second half of 1871 is due to 12 deaths among newly-arrived coolies, whose voyage (in the "Dover Castle") was protracted to 108 days.

The last report available gives the following as the Indian population of St. Vincent on 31st December 1871:—

Men	795
Women	338
Boys	98
Girls	77
Male infants	67
Female „	67
Total souls	1,442

Yet the Lieutenant Governor, in March 1872, writes of the coolies as yielding nearly 2,000 "labourers." There must be a mistake somewhere.

ST. LUCIA.

We next come to St. Lucia, also in the Windward group, lying somewhere about 13° 50′ N. Lat. and 61° W. Long., with an area of 235 square miles. Volcanic, like St. Vincent, its configuration seems similar; but the climate is said to be very moist and unhealthy. The temperature, however, does not seem to range very high. The Encyclopædia Britannica gives the range as from 71° to 83° Fahrenheit, and the average rainfall at 94 inches. Though larger than Grenada and St. Vincent, its population seems less. In 1854 it stood at 24,123, viz., 947 whites and 23,176 persons of colour. The cultivation was put at 4,500 acres (probably an under-estimate), almost all in sugar-cane.

Settled by France in 1650, it seems to have been alternately in French and English hands till 1803, when it became a British colony. It is subordinate to the Government at Barbadoes, and is administered by a Lieutenant Governor (Administrator?) and a Legislative Council of five official and five non-official members. The general law seems to be old French law, unreformed by the Code Napoléon.

The legislation of the island on the subject of immigration is in some respects peculiar and noteworthy. The St. Lucia consolidated Ordinance of 1865 seems, though by no means perfect, yet clearer and more stringent than the laws of several of the other West Indian Colónies.

The financial scheme appears to be much the same as in St. Vincent. A contribution of one-third of the expenses of immigration is made from general revenues, while the remaining two-thirds fall upon the planters either indirectly, in the shape of an export tax on sugar, rum, and molasses, or in the form of direct contributions on allotment of labourers. These latter are called "indenture fees," and are levied at the rate of 25*s.* for each year of indenture for every adult immigrant, and half that sum for each non-adult.

An Immigration Agent is appointed on a salary of 150*l.* a year, with 30*l.* for travelling expenses. His duties are to inspect all ships arriving with immigrants; to maintain a register of all immigrants (in which the planter is bound under penalty to assist by rendering certain prescribed returns); and "to assign immigrants arriving to such planters as shall be ready to employ them in such manner as shall be directed by the Governor; provided that the wages payable to the said immigrants shall be equal to the wages paid to labourers not receiving gratis medical attendance or provision grounds; and provided also, that in such allotments the wishes of the immigrant shall be as far as possible ascertained and attended to, and that in no case whatever shall any husband and wife, nor any parent and child, be allotted to different employers." Immigrants are thereupon to enter into indentures before a stipendiary magistrate, and in the presence of the Immigration Agent. The Agent is bound by law to visit every estate employing labourers once in every quarter, to ascertain whether the coolies are properly treated, and to inquire into any complaints made by either side. And the Agent may, with the sanction of the Governor, cancel the contract of any immigrant who, being paid by the task, shall not have received work sufficient in the opinion of the Agent to enable him to earn a reasonable amount of wages. The stipendiary magistrates are also bound to inspect every estate in their district at least once in two months, and the district hospitals at least once a fortnight. The Agent is also empowered to visit the district hospitals.

The contracts are for five years, but the immigrant may redeem the last two years by a payment of 2*l.* 10*s.*, or the last year by a payment of 25*s.*, half these sums being charged in the case of a non-adult. Upon completion of five years' industrial residence, the immigrant is entitled to "a certificate of discharge," and three years' further residence entitles to a free back passage, pending provision of which the immigrant may claim an allowance at the rate of 50*s.* a year. The free return passage may also be commuted for a piece of land, or for a money bounty not exceeding 10*l.* The Governor has the power of terminating a contract "in any case when he shall see fit."

The body of the law seems to contemplate a certain freedom of contract; but the form prescribed in the schedule is non-elastic in some points. The immigrant is bound to work for nine hours of each day, "Sunday, Good Friday, Christmas Day, New Year's Day, and Corpus Christi excepted," as also such other holidays the Governor may permit. Wages are to be paid twice a month, at the same rate as paid to labourers not under indenture, and are not to fall short of the following rates: for male adults, 1*s.* 4*d.* a day if employed in the mill or boiling-house, or 1*s.* if not so employed; 10*d.* a day for female adults; and for those under 16 years of age, such rates as may be fixed as a fair proportion, according to the age of the labourer. The employer is also bound to provide "good and comfortable lodging," and at least half an acre of "provision ground." The Immigration Agent is bound to keep up a register of desertions, imprisonments, and absences without lawful excuse, and if it appears that any immigrant has been absent in the aggregate for 20 days or more for each year of indenture, the Agent is to endorse the fact upon the indenture, and the immigrant is thereupon bound to make up the lost time; provided that no such addition be sanctioned in respect of any week in which the labourer has performed five days' work or five days' task, according to any scale of tasks approved by the Governor, or in respect to any absence from sickness or other lawful cause.

Immigrants are to be rationed by their employers for the first three months of their indentures according to a tariff to be paid by the Governor, who is also to fix the price of such rations to be deducted from the immigrant's wages.

Absence

Absence from work without lawful cause is punishable by forfeiture of two days' wages for each day of absence, or imprisonment with hard labour not exceeding 14 days. The employer, his servants, or any constable, may apprehend without warrant any immigrant found at a distance of more than two miles from the estate, without a ticket of leave from the manager, and cause such immigrant to be taken back to the estate. The immigration agent, any stipendiary magistrate, justice of the peace, police constable or superintendent of police may stop any immigrant wherever he may find him, and the owner, or servant of owner, of any land or house may stop any immigrant found on such land or in such house, and, if the immigrant fails to produce a certificate of discharge or a ticket of leave, he may be taken before a stipendiary magistrate, and unless he can show that he has obtained a discharge or is absent with leave, he may be sentenced to imprisonment with hard labour for a term not exceeding 14 days. "Misconduct, fraud, or deception in the performance of work" and injury by negligence of property or live stock subject to fine (in the magistrate's discretion seemingly) or imprisonment, with or without hard labour, for a term not exceeding 30 days.

Wilful ill-treatment of any immigrant, or neglect to provide any immigrant with sufficient nourishment when sick, to pay him wages or supply the rations stipulated for at the times prescribed, or to provide good and comfortable lodging and half an acre of provision ground, renders the employer liable to a fine not exceeding 10 *l.*, or in default of payment, imprisonment for 30 days, with payment of wages due. And it is at the same time lawful for the governor to cancel the contract of the immigrant complaining, and also of all immigrants on the estate. All complaints for non-payment of wages are made triable by the stipendiary magistrates, subject to appeal. But the law is not explicit as to the court trying other offences under this section. Cases against the immigrant appear distinctly to be triable by the stipendiary magistrates. Immigrants under indenture are exempt from imprisonment for debt, nor can their wages be attached nor execution be had on their goods and chattels. This provision does not, as far as I remember, appear in other colonial ordinances.

For the medical treatment of immigrants and others, three general hospitals are maintained by the colony and placed in charge of licensed medical officers, who are, moreover, bound to visit estates and treat immigrants there, at such intervals as may be prescribed by the governor. The managers of estates are bound to bring before the medical officer all immigrants in need of treatment, and such immigrants may be compelled to resort to hospital for treatment. The planters are required to contribute towards the expenses of hospitals and medical attendance at the rate of 10 *s.* per annum for every adult, and 5 *s.* for every non-adult immigrant, in their employ.

Such are the main provisions of the St. Lucia Immigration Act. But as no immigrants have been imported from India since 1862, the Act is practically in abeyance, no immigrants remaining under indenture. Mr. Des Vœux says all the Indians have accepted the terms of an Ordinance of 1871, entitled "An Ordinance to provide for the passages to India of certain Indian Immigrants, in return for their residence in the Colony." Under this Act, the superintendent of police is empowered, on behalf of the colony, to enter into agreement with any immigrant to provide such immigrant with a return-passage to India, provided he shall reside in the colony eight years continuously from the date of the agreement, and shall for that period work as an agricultural labourer, when not prevented by sickness or other reasonable cause. The Act applies also to the children of immigrants. A careful register of immigrants who shall have availed themselves of the Act and who are termed "resident immigrants," is to be maintained by the superintendent of police, and all such immigrants are bound to report themselves once every half-year to a magistrate. Resident immigrants come under the provisions of the "Ordinance of 1871 for regulating the respective rights and duties of masters and servants." The main provisions of this Ordinance are as follows:—Unwritten contracts of service for more than one month are invalid. Written contracts may be made for nine months, but to be valid must be signed before, and attested by a stipendiary magistrate. Such contracts must specify the nature of the employment, the number of hours of daily service, the nature and amount of remuneration, and the times of payment. Except in case of labourers by the task, every contract of service, in the absence of express stipulation to the contrary in writing, is held to be by the week for agricultural labourers, by the month for others; and to be terminable at three days' notice in the former, a fortnight's notice in the latter case. Should an employer discharge a servant without such notice, a week or a month's wages, in addition to wages due, may be claimed. Wilful absence from service or refusal to perform a contract without reasonable cause, or damage to the property of employer by negligence or improper conduct, may be punished by fine not exceeding 5 *l.* or imprisonment with or without hard labour for 30 days; "wilful misconduct" subjects to a fine of 2 *l.* or imprisonment for 14 days. The magistrate may award forfeiture of wages due, nor do wages accrue for the period of imprisonment. Ill-usage of any servant or failure to deliver any articles, wages or other, according to contract, subjects the employer to a fine of 10 *l.*; discharge without reasonable cause before expiry of contract, to a fine of 5 *l.*; in the latter case the whole or part of the fine may be awarded as compensation. But any tenant guilty of misconduct, or wilful omission, or neglect of duty, may be discharged without notice, as on the other hand, ill-usage may be pleaded by the servant as a valid ground for breach of contract. On any complaint by master or servant, the magistrate may, in addition to any order in the case, discharge either party from the contract. Agreements may also be made by the task, and breaches of these are punishable by a fine of

of 20 *s.*, awardable in whole or in part to the aggrieved party. All complaints for breach of contract, and all disputes as to wages up to 15 *l.*, are to be heard by the stipendiary magistrates subject to appeal by either party. Both complainant and defendant, moreover, may be examined upon oath.

Men - - -	529
Women - - -	166
Boys - - -	89
Girls - - -	72
Infants, male -	26
Do. female -	20
TOTAL Souls -	902

We have no report from St. Lucia of later date than that for the first half of the year 1868, and the series before that date is very defective. On the 30th June 1868, there were in the colony 1,079 Indians, of whom there were located on estates the number noted in the margin. The wages paid during the half-year amounted to 2,814 *l.*, giving an average of about 4 *l.*,* or 13 *s.* 4 *d.* a month for each adult. "Men," writes the agent, "receive 1 *s.* per day and women 10 *d.*" This statement, taken in connection with the amount earned, is hardly to be reconciled with the accompanying statement that the immigrants were "fully and regularly employed." The figures seem to show that they could not have worked more than four days in the week at the outside. The agent, however, says that this colony is a cheap place to live in, and that the coolies have advantages in the way of cheap land and the like, which they have not in other colonies. Yet I find in one half-year 122 emigrants left the island for Trinidad and British Guiana.

The mortality in 1860 and 1861 seems to have been considerable. For instance, the deaths in the first half of 1861 were 53 in a coolie population of about 1,100, and the Colonial Office decided not to indent for more labour till the arrangements for treating the sick were placed on a better footing. This led to the establishment of the public hospitals, and the legislation on the subject of medical treatment briefly noticed above. Of late years the colony seems to have been healthy for Indians. The record, however, is far from complete. The figures I have been able to find are the following:—

PERIOD.	Number of Immigrants.	Deaths.	Per-centage of Mortality per Annum.
1864 - - -	1,316	18	1·37
1st half of 1865 - -	1,069 (?)	10	1·87 (?)
1866 - - -	(?)	21	(?)
2nd half of 1867 -	1,207	10	1·65
1st half of 1868 - -	1,079	11	2·04

Crime seems to be slight. I have found no record of breaches of contract. Of the immigrants, 1,535 in number, who were introduced before June 1862 (and there have been no importations since), though all had become entitled to back-passages, only 298 in 1860, and 162 in 1871, or a total of 460 had claimed it. In 1868, 425 accepted bounties averaging upwards of 7 *l.*

GRENADA.

GRENADA, the most southern of the Antilles, lies between north latitude 11° 58′ and 12° 20′ and west longitude 61° 20′ and 61° 35′. Its area is but 133 square miles. Discovered by Columbus, it was not occupied till 1650 when an expedition was organised by the French government of Martinique, the island seized, and the Caribs who inhabited it deliberately extirpated with circumstances of combined treachery and cruelty. In 1762, Grenada was taken by the English, but was re-taken in 1779. By the peace of 1783 it was, however, restored to Great Britain, of which it has since remained a dependency. The island, like most of the group to which it belongs, consists of a mountainous interior gradually sloping to the sea. Cultivation is probably confined to the coast. Coffee, cocoa, cotton, and sugar, as also indigo and tobacco, are named among the products; but I believe sugar is now the chief staple. In 1853, 17,722 acres were under cultivation with various crops. In the same year, Grenada, including the small group of islands lying between it and St. Vincent, and called the Grenadines, exported 11,293,851 lb. sugar, 32,680 gallons rum, 19,972 gallons molasses, 9,318 lb. cocoa, 73,633 lb. cotton. The population in the same year was estimated at 34,000. The island is subordinate to the Governor of the Windward Islands, whose head-quarters are at Barbadoes.

The legislation of Grenada on the subject of immigration follows very closely that of St. Vincent. The main points of deviation are the following:—They are chiefly due to the influence of British Guiana legislation. The employer contributes directly to the amount of one-half the cost of passage in the case of males, and one-fourth in the case of

* The average for adults for the previous half-year is even lower, viz., 3 *l.* 12 *s.*

of females. It is not apparent whether he also contributes indirectly in the form of an export tax on sugar and rum. The first indenture is for five years, and any number of re-indentures for five years are permitted, the bounty beiug 10*l*. A back-passage is earned by five years' industrial residence, and 10 years' total residence. The scale of wages differs slightly from that of St. Vincent. Immigrants are arranged in three classes, but the second class consists of these from 10 (not eight) to 16 years of age, and the third of these under 10 years. The minimum daily wage of the second class is fixed at 8*d*. The salary of the agent is put at 280*l*. per annum, with 50 *l*. for travelling expenses, and he is to hold no other office. The Governor has power to refuse allotment for any just cause, and the separation of relatives, and even friends, is not to be made, where it can be avoided. No indenture can be cancelled, even by consent of parties, without the sanction of the Governor. Absence from work, due to desertion or imprisonment, if it exceeds more than a month for each year of indenture, must be worked out by extra time. The Governor may cancel any engagement on the ground of ill-usage or breach of contract by the employer. The St. Vincent law gives this power to the magistrate. The medical practitioners attending estates are in Grenada still paid by the employers of labour, and not by Government. The agent is given the power of instituting proceedings on behalf of immigrants, and finally the Governor is empowered, in certain cases, to deport any immigrants to other colonies. The reasons for this clause we have seen in Part I.

Men - -	977
Women -	395
Boys - -	182
Girls - -	193
Infants -	116
	1,863

The report for 1871 shows that there were, on the 31st December of that year, 1,863 Indians upon 46 estates, besides some "free settlers" whose number is not stated, but does not seem to be large. Details of the indentured immigrants are given in the margin. The deaths had been 52, giving a death-rate of 2·67 per cent. Grenada is said to be healthy; but in 1863 the deaths numbered 115, which must have been a heavy mortality, though I have not the means of ascertaining the exact Indian population then. In 1864 the mortality is said to have been 2·39 per cent. In 1866 a very heavy death-rate occurred, chiefly among the arrivals by the "Countess of Ripon." Of 260 coolies by that vessel who landed in January 1866, no fewer than 49 were dead before the end of June 1867, or about 12 per cent. per annum. Much of this was due, as we have seen, to gross neglect on the part of the employers, and emigration was for a time put a stop to by the Colonial Office. In 1867 the deaths were 70 in an Indian population of 1,700, or 4·1 per cent. In 1868, 49 out of about the same number, or less than 3 per cent. In 1870 the death-rate was 2·3 per cent.

The convictions for absence from work, or breach of contract, were 40 in 1871. The calendar of crime proper mostly consists of petty cases.

Though the law permits re-indenture for five years, the clause does not seem to be generally resorted to, and verbal or monthly contracts are the favourite mode of engagement among immigrants who have served their term of five years' industrial service. It is said that an able-bodied coolie can earn, by task work, 1 *s*. to 1 *s*. 3 *d*. a day; but, for the most part, the immigrants work by the day at the stipulated minimum wages. Even on these they continue to amass some savings. In 1860, 40 men, 19 women, and 17 children returned to India with economies amounting to nearly 1,300 *l*.; and of 580 immigrants entitled to back-passage, more than two-thirds accepted bounty and remained in the colony. Still the poverty of the planters, and the want of capital in the island, makes Grenada a crucial instance of the drawbacks of the smaller West Indian colonies as fields for Indian labour. Most of the disadvantages may be traced to this source. The estates are small, and do not employ more than 30 coolies each on an average, about 70 being the maximum number on any one plantation. For coolies thus scattered in small groups it is difficult to provide adequate medical care and hospital accommodation. This evil it is, however, proposed to remedy by establishing district hospitals under the care of medical officers paid by the colony. Again, there is little extension of cultivation, little demand for labour, and consequently a low rate of wages. Possibly the competition of Trinidad, whither a good many Grenada coolies seem to migrate, may tend to lessen this disadvantage.

St. Kitts.

The only British colony of the Leeward group which has drawn labour directly from India is St. Christopher's, or St. Kitts. The island, named after the patron saint of Columbus, lies about lat. 17° 20′ N., long. 62° 40′ W., and is 20 miles long by four broad. It was settled, jointly, by French and English, and suffered many calamities in the wars between the two nations. At the peace of Utrecht it was ceded to Great Britain; in 1782 re-taken by the French, but restored to England in the following year. Volcanic in formation, in contains some 44,000 acres of land, of which half is said to be cultivated, mainly with sugar-cane. The population in 1842 numbered 23,177 souls. It enjoys the presence of a lieutenant governor, and sends 10 members to the House of Assembly of the Leeward Islands, meeting at Antigua. I can find no record of the fate of Indian labourers in St. Kitts, except a very brief report of 1865. In that year there were 235 Indians on the island, exclusive of children under six years of age, and the condition of the emigrants was declared, in general terms, to be satisfactory.

NATAL.

NATAL is a tract on the south-east coast of Africa, about 200 miles long by 100 broad, with an area of about 17,000 square miles. It lies between lat. 28° and 31° S., and long. 29° and 31° E. The country rises from the sea in a series of terraces, and hence presents a remarkable variety of climate, soil, and scenery. It may be generally divided into three zones or strips:—1. Along the Indian Ocean is a belt of land about 15 miles in breadth, a tract of rounded knolls and small valleys, for the most part interspersed with vast masses of lofty and abrupt hills and deep ravines. This tract seems sub-tropical in climate. Sugar-cane, coffee, and indigo flourish along with the mulberry, olive, and vine; oats, beans, and potatoes thrive, and the maize grows most luxuriantly both here and in the other belts. 2. The second main terrace is more temperate in climate, and seems well adapted for the growth of cereals, and for horse and cattle breeding. 3. Within this tract the hills rise more massive, with a longer and bolder sweep, covered with grass, but generally bare of wood. They are frequently flat-topped, and sometimes expand into table-land. To the west the hills get more rugged, till the country is bounded by the Kahlamba range, rising abruptly to the height of 8,000 feet above the sea and nearly 4,000 above the country at its base. This tract is well fitted for sheep and cattle; for cereals and fruits of a temperate climate. The whole country is well watered. The transitions of spring and autumn are short, so that, practically, the year may be divided into a hot and cold season. Rain is frequent during the former; in the latter the sky is generally serene. In the lower belt of country the average temperature in the summer is 77° to 85°. In winter it ranges from 58° to 70°. In the second division of country, at Pietermaritzburg, the capital, the range of the thermometer in the summer is from 64° to 75°, and in winter from 48° to 60°.

The country was discovered by the Portuguese on Christmas Day, 1498, whence its name of Natal, but no attempt at European settlement was made for more than three centuries; nor, indeed, was much known of the country till 1810, when a Zulu Chief, named Chaka, arose and nearly depopulated the Natal country, till then inhabited by a number of small Kafir communities. In 1824 a small party of British emigrants from the Cape settled in the country, and were well received by Chaka. The Dutch Boers, who followed in 1837, were, however, viewed with suspicion by Dingaan, the brother, murderer and successor of Chaka, and a bloody war raged for two years, resulting in the triumph of the Dutch, who established a republic in Natal. The unfriendly relations between the Boers and the Kafirs seem to have furnished the Cape Government in 1842 with a pretext for military occupation of the country, and a large number of the Dutch left the colony. This policy was, however, reversed in 1848, and endeavours made to conciliate and retain the remnant of the Boers. Natal was at first administered in subordination to Cape Colony; but in 1856 it was made independent, and representative institutions were granted. The Legislature consists of the Lieutenant Governor and four chief officers, who are *ex-officio* members, and of 12 members elected by constituencies formed of all holders of freeholds worth 50 *l.*, or occupiers of property of an annual rental of 10 *l.* The law of the colony is the Roman-Dutch law; trial by jury has, however, been introduced, and a distinct system of law appears to apply to the Kafir natives. In each country there is a resident magistrate, and a supreme court, presided over by a single judge, sits at the capital. The total population was (in 1860 apparently, for I cite this account from the "Encyclopædia Britannica," edition of that date,) 125,000, of whom 8,000 were whites. Of the white population about one-third were Boers. In the ten years—1846 to 1856—the value of the exports had risen from 15,000 *l.* to 54,000 *l.* The export of sugar began in 1856. Cotton and indigo have also been tried with some success.

We have seen (in Part I.) that no periodical reports have been received from Natal, and that attention was first drawn to the fact in 1871 by complaints made by return emigrants. The first report from the colony was not satisfactory, but a Commission of Inquiry was afterwards appointed, and the report of that Commission has been received since the first part of this note was written. An Indian officer of high character sat upon the inquiry, and the following summary of the Commission's report will give the best available picture of the present state of Indian emigrants in Natal.

There have been no arrivals since 1866. No exact record of deaths is attainable, but the Commissioners (whose report is dated August 1872) estimate the immigrant population at 5,700 adults, of whom all have served out their period of industrial service. One-half of this number are calculated to be employed in sugar and coffee estates, and in various other situations in the neighbourhood of the coast. The extent of country in which estates lie is, "say, 120 miles in length." The remainder are distributed over the colony as servants, traders, shop-keepers, gardeners, fishermen, and so on. In one place the Commission report they found some coolies jointly occupying a farm of 120 acres, for which they paid 1 *l.* an acre as rent, and which they cultivated with sugar-cane and maize. From 300 to 400 Indians are said to have gone to seek their fortune at the diamond fields.

The wages given are 15 *s.* a month for ordinary workmen; skilled workmen receive from 30 *s.* to 2 *l.*, and an instance is recorded of an Indian earning as much as 4 *l.* a month. On the Durban Railway able-bodied coolies get 20 *s.* to 30 *s.* a month. In all cases rations are given in addition to the money wage.

The

The hours of labour are from sunrise to sunset, with one hour for dinner, and generally half an hour for breakfast. Extra pay is given for work beyond hours, and no work is exacted on Sundays. Payment is made generally once every two months, and this plan is said to be liked by the coolies better than monthly payments. This I take leave to doubt. No complaint of irregular payment was made to the Commission. Under the local Act II. of 1870 a penalty of 10 *l.* is incurred by any employer failing or neglecting to pay wages due to immigrants.

"Free coolies," *i. e.*, immigrants who have served their term of industrial residence, can, under the Masters' and Servants' Ordinance, sue summarily for arrears of wages or other breach of contract before the resident magistrate. If destitute, they may sue *in formâ pauperis*. The award is recoverable by distraint, and, failing sufficient levy by this process, the employer may be imprisoned for one month.

Complaints were frequent of deductions from pay being made by masters on account of sickness and absence without leave. Commonly 1 *s.* was deducted for every day of absence for whatever cause, sometimes 1 *s.* 6 *d.* for absence without leave. The rations, however, were not reduced. On some estates these cuttings amounted to one-third of the nominal wages; on others they were less than 5 per cent. In many cases it was said that no deduction was made for absence by reason of real sickness.

The law on this subject seems to be as follows: Under the law of 1859 the magistrate alone could award deductions equal to two days' pay for each day of absence. But an Act of 1865 permitted the employer to retain from the wages of any immigrant under indenture the wages and allowances of every day of absence plus ½ *d.* on every shilling of his monthly wages for each day. Thus a coolie on 15 *s.* a month would lose a day's pay, plus 7½ *d.*, plus the value of rations, say 4 *d.* But Indian labourers now come under the ordinary law of master and servant. Under this the servant is liable to deduction of a reasonable proportionate part for each day's absence without leave, and the deduction may be made by the master. This the Commissioners calculate at 11 *d.* per diem for a labourer on 15 *s.* a month. A sick servant forfeits his claim to wages during sickness, but not, seemingly, to rations.

The rations are generally on the following scale:—

2 lb. of mixed rice and maize flour, in proportions slightly varying, per diem.

2 lb. fish - - }
1 lb. ghí or oil - - } - - - - - - per mensem.
1 lb. salt - - }

No complaint was received as to issue of rations. But there were complaints that the maize flour, or "mealie-meal" as it is called, was unpalatable and unwholesome. It may, say the Commissioners, have been unpalatable to the Indian taste, but they always found it of excellent quality, and the healthy appearance of the immigrants and their children belied the charge of unwholesomeness.

The medical attendance and hospital accommodation are very imperfect. By law, any estate employing more than 20 indentured immigrants should have a hospital, and the employer is bound, under a penalty of 10 *l.*, to retain the services of a medical practitioner. But these provisions do not apply to "free coolies," a category under which all Indians now in the colony seem to fall. Hospital buildings were found on three estates, but they appeared to be rarely used. Near Durban all serious cases are sent to the general hospital. In more remote estates a medical man is retained to pay periodical visits, and to come when sent for in urgent cases. He is paid by the estate, and no deduction on this account is made from the coolies, who are treated in their own huts. In point of fact, the climate seems wonderfully healthy, though perhaps the following figures are not to be altogether accepted. According to the Commission, out of 6,445 arrivals up to 1866, there have been only 339 deaths.* In 1860 the mortality is put down at 1·74 per cent.; in 1861 it exceeded 2 per cent., and that was the highest in any year. The Commissioners speak of the "fine healthy looks of the coolies' children," and remark that "the death of a child is of very rare occurrence; children live and thrive better than in India." Colds, fevers, and dysentery, or other bowel complaints do occur, but they are usually of a mild type. Venereal disease is not uncommon. The Emigration Commissioners, writing in 1864, say: "The report of the immigration agent on the condition of the coolies is very satisfactory. It appears that their health is generally good; that the whole number of deaths during two years and a half that they have been in the colony has only amounted to about 4¼ per cent.; and that, during the first six months of 1863, to which the report extends, there had been, among upwards of 1,000 people returned as on estates, 24 births and only six deaths."

On a few estates, barracks of stone, roofed with zinc or iron, have been built; but the coolies are generally given their materials and allowed to house themselves. Some of the dwellings inspected by the Commission wanted space, but in most cases they found "comfortable though rudely-constructed houses, remarkable cleanliness, good drainage, and abundance of water." Small garden grounds are generally given, and on these the coolies will sometimes grow tobacco for sale. One man and his wife had 1,000 lbs. of tobacco, of their own growth, stored in the house. On one estate only did the Commissioners receive any complaint of scarcity of wood for fuel.

There

* Another account says 275 deaths in seven years on an original number of 6,307.

There are four schools in the colony for coolie children, which are aided by Government to the extent of 68 *l.* per annum.

There has been but one case of re-indenture. Hence all the other immigrants now come under the general law of master and servant. Under that law, a servant may be punished for the offences (amongst others) of neglect or refusal to work, insolence, drunkenness, or other gross misconduct, by imprisonment for one month, or whipping not exceeding 12 lashes, or a fine of 5 *l.* Apparently, as a rule, the contracts are terminable at a very short notice, but there are allusions in the evidence to longer terms of contract, —one year and even three years. I cannot, however, make out anything definite.

The Commissioners give the following table for the year ending April 1872:—

JURISDICTION.	Number of Cases by Masters against Coolies.	Number of Cases by Coolies against Masters.	Number of Coolies Flogged.
Durban - - - -	32	1	—
Alexandra - - -	2	—	—
Tugela - - - -	2	—	—
Inanda - - - -	54	8	20

The Commissioners very properly condemn the whipping clause.

As to the general conduct of employers, they say: "A few instances of assaults of coolies by managers or assistants on estates came under our notice, but they appear to be quite exceptional." Two specific cases are, however, given, where employers were grievously to blame. In one, the manager cajoled his labourers into a most iniquitous engagement; in the other, the manager was "in the habit of ill-treating his coolies."

There has never been any proper inspection of estates.

Sexual relations are somewhat unsatisfactory among the immigrants, there being but 33 per cent. of women. The women used to be engaged as labourers, at from 5 *s.* to 8 *s.* a month and rations; they do not seem to work now. The savings' banks showed immigrants' deposits to the amount of nearly 6,000 *l.* due to 231 depositors. This represents but a small portion of the capital actually saved. Much has been invested in the colony. Vegetable and tobacco growing is a thriving trade, and many coolies have set up as boat-owners and fishermen. Others have retired from the position of labourers, and settled in the neighbourhood of estates, where they grow sugar-cane, sending the cane to be crushed at the estate mill.

The employer paid 3 *l.* yearly for the services of an indentured immigrant, the revenues of the colony bearing the rest of the cost of importation, which is put at about 18 *l.* per head. As emigration to Natal has ceased, and will not be resumed without a thorough remodelment of the system (a question now under consideration in the colony), it is unnecessary to analyse in detail the local Immigration Act of 1870, which, as we have seen, does not govern the case of those Indians now remaining in Natal.

RÉUNION.

ABOUT 90 miles W.S.W. of Mauritius, and in S. lat. 21° 30′; E. long. 55° 30′, lies the Isle of Bourbon, Napoleon, or Réunion, as it has been successively called. Elliptical in shape, it is about 40 miles long by 27 miles broad, and may be described as one vast mountain of volcanic origin. The mountain is, however, split into two peaks; the northern rising to about 10,000 feet above sea level; the southern a still active volcano, reaching but 7,000 feet. Cultivation, and indeed habitation, appears to be confined to the fertile sea-margin, which has, at one time or another, grown coffee, cotton, and cloves, but which is now chiefly devoted to the sugar-cane and to manioc, the staple food of the negro population. The hot season is from December to March; the mean temperature for the whole year is given as 78° Fahrenheit. The climate, on the whole, seems not insalubrious; though, according to Dr. Mouat, unfavourable to the negro.

The population in 1869 was stated at 180,000. We have not figures to show its distribution according to nationalities in that year, but the Consul's report for 1863 states that in September of the previous year there were in Réunion 72,595 foreign labourers (including women and children); of whom 46,411 were Indians,* 25,771 Africans (including, I imagine, Malagaches, or natives of Madagascar), and 413 Chinese. Presumably, the rest of the population consists of French colonists, and of Creoles of blood either purely French or more or less mixed with an African strain.

The

* A Report of 30th June 1861 thus distributes the *then* estimated Indian population of 39,662; 33,444 Men, 4,271 women, 1,102 male children, 845 female children.

The island, which was then uninhabited, was taken possession of by France in 1846, and, after one or two abortive attempts to colonise it, was made over in 1861 to the French East Indian Company. In 1710 a regular administration was organised, and African slave labour seems to have been introduced from an early period of the island's history. Indeed, the traditions of slavery got such strong hold upon the settlers, that when emancipation was announced as one of the principles of the French Revolution, Bourbon, or, as it had then been just rechristened, Réunion, refused to accept the gospel of *liberté, fraternité, et égalité* for the negro. Some opposition to the dominant party would, however, seem to have arisen, and matters at length went so far that the slavery faction proceeded to deport a number of their antagonists to the Seychelles. It is said that the ship which carried these martyrs to consistency was attacked by an English frigate, and sunk with all the souls on board. The island itself was occupied by the English in 1810, after an obstinate resistance, and held till 1814. It was again occupied for a short time in 1815, but restored to France by the Treaty of Vienna. It is thus essentially French in its history.

According to the "Encyclopædia Britannica" (edition of 1856) it was then managed by a Governor, aided by a council elected from inhabitants of French blood, paying 200 francs in direct taxes. I have no recent figures of the number of the electoral body; in 1837 they numbered 1,145. According to the same article there was a chief court at St. Denis, two courts of assize, two tribunals of first instance, and six juges de paix, and the island was divided into two arrondissements, six cantons, and eleven communes. From a recent consular report, the communes now seem to number 12.

I have already, in Part I. (pp. 32 and 33), given such a brief history of the earlier emigration as I have been able to glean. Immediately before the Convention of 1860 there appear to have been nearly 40,000 Indian labourers in the island, mostly "Malabars," or emigrants from the Southern Presidency of India. The great majority of these being British subjects, their emigration must have been distinctly illegal. The *legal* emigration first began from Calcutta; but the coolies suffered much in health, and the scene of operations was tranferred to Madras, and a languid emigration now goes on from French ports in the south. The figures of the emigration, as supplied by the Protectors, will be found in Part II.; but I am not at all sure of their accuracy. The colony does not grant any subvention in aid of immigration, and the applicant for foreign labour must deposit the full amount of the cost of introduction of labourers before they are allotted to him. The cost of passage and incidental charges varies from 300 to 400 francs. The last employer must pay for the backpassage of the labourer. The strictness of these rules seems of late to have been so far relaxed, in consideration of the chronic state of depression in which the sugar industry of Réunion is plunged, as to allow planters to pay the cost of introduction of labour *by instalments*.

Contracts are made in India. They bind the labourer to serve any person to whom he or she may be allotted, and to perform "tous travaux de culture ou de fabrication sucrière, ou tous autres d'exploitation agricole ou industrielle, et enfin tous travaux de domesticité." As Consul Segrave puts it, the labourers are engaged "à tout faire," and he complains that the most incongruous employments are sometimes assigned to immigrants. The attention of the local Governments has been called to this matter of the excessively general terms of the contract.

The working day is not to exceed 9½ hours; on Sundays and holidays works of necessity may be exacted. Every day of absence from work or "cessation volontaire de travail sans motif légitime" subjects not only to loss of pay for the day, but to the deduction of a second day's pay, "à titre de dommages-intérêts." The employer may apparently, as in Mauritius, make this deduction of his own motion, subject to an appeal to the juge de paix in case of contestation. I have not obtained a table of the existing rates of wages. In 1862* they were thus stated by the Consul:—

For Calcutta Coolies.

Men over 21 years of age, *Rs.* 5 – – per mensem for the first three years.
Ditto - - - - „ 5 8 – ditto - for the fourth year.
Ditto - - - - „ 6 – – ditto - for the fifth year.
Younger males "in proportion"
Women from *Rs.* 4 to *Rs.* 5 per mensem.

For

* The "Calcutta Protector," in a letter dated 26th September 1864, gives the following as the wages then offered by the agent for Réunion:—

Age.	First Year.	Second Year.	Third and following Years.
	Rs. a.	*Rs. a.*	*Rs. a.*
From 10 to 13 years	2 –	3 –	4 –
„ 13 to 16 „	3 –	4 –	5 –
„ 17 to 20 „	4 –	5 –	5 8
„ 21 upwards	5 -	5 8	6 –

For Pondicherry Coolies.

Men	from 16 to 36 years	*Rs.* 5	per mensem.
Women	from 14 to 30 years	„ 3	ditto.
Boys	from 11 to 15 years	„ 2	ditto.
Girls	from 10 to 14 years	„ 2	ditto.

In addition to the money wage, the employer is bound to supply rations, clothing, lodging, and medical care.

The minimum daily ration is as follows:—

Cod fish ("morue") or salt fish	214 grammes.
or meat (fresh or salt)	200 ditto.
Husked rice or manioc flour	85 centilitres.
Salt	20 grammes.

All immigrants above 10 years of age to receive the above rations; those under that age half the amount. Upon a certificate from the Immigration Commissioner that the articles named cannot be had, dry vegetables may be substituted for the whole or part of the prescribed ration. For the sick, rations are fixed by the medical attendant. Some discontent was caused by the substitution of maize for rice, the price of the latter, which has to be imported, ruling high. I believe maize is now entered in the contracts as an alternative diet. The scale of clothing is per annum; for men, two shirts, two pair trousers, one kerchief; for women, two shirts, two "robes ou jupes," four kerchiefs. The lodgings are to be suitable "au point de vue de la division et de la salubrité," and to include "toutes les installations de couchage élevées d'au moins 50 centimètres au dessus du sol." The "division" may be according to sexes or according to families. Besides the general clause in the contract, the law binds the employer of 20 labourers to provide an infirmary properly "approvisionné et installé," and a regularly engaged medical attendant. I may mention that the obligation to provide medical care is shackled with the proviso, "à moins que les soins médicaux ne soient reclamés par des maladies provenant de leur mauvaise conduite;" an objectionable reservation to my mind, but allowable under the Convention.

The term of engagement is for five years. But the law of the colony requires 26 days' work in any month, and days of absence beyond this limit, *from whatever cause*, must be made good. This seems to be in addition to the double penalty already noticed; if so, the rule is eminently unjust. At the end of five years' service thus calculated the labourer is entitled to a back passage for himself, his wife and children. Those permanently incapacitated for labour are also to be repatriated.

The special arrangements connected with immigration are the following:—A standing Immigration Committee is formed, consisting of the "Directeur de l'Intérieur" as president, a member of the "Conseil Général" nominated annually by the said Council as vice president, the Immigration Commissioner, a resident planter and a merchant, the two last nominated annually by the Governor. An "employé" in the office of the Directeur de l'Intérieur is added as secretary. This body is chiefly concerned with the preparation of the lists of distribution of labourers. The principle of distribution is to satisfy, as far as possible, the demands of the sugar industry, according to the relative importance of the various estates. Other demands are treated as secondary. The lists of allotment are finally approved by the Governor, on the recommendation of the committee. An employer may be excluded from the distribution: (1.) If he has failed to provide for return passage of immigrants previously assigned to him; (2.) if he has allowed his labourers to become a public charge; (3.) if he has been convicted of cruelty (sévices) towards his labourers, or of failure to comply with the obligations of the contract. It does not appear that this regulation has been put in force.

Side by side with the Government immigration, the Réunion law recognises the right of individuals to import labourers with the authorisation of the Governor, and on condition of complying with the rules. But this system appears to be discouraged.

"Le Commissaire de l'Immigration est chef d'un bureau institué à la direction de l'Intérieur. Ce bureau a pour attributions spéciales tout ce qui touche au service de l'immigration," the control of the introduction, the conclusion of the agreements, the provision of the return passage, the forwarding of remittances to India, and, generally, the Commissioner performs the duties of a "Protector of Immigrants." He is directed to visit estates to see that rules are observed and contracts filled on both sides. But he is expressly declared to have no power of "action de police administrative ou judiciaire sur les immigrants." Upon the arrival of any ship carrying immigrants, the Commissioner proceeds on board with the inspecting surgeon, and sees that the rules as to provisions, accommodation, and hygiène have been observed. No immigrant can be landed without his permission, under a penalty of 25 to 100 francs for every immigrant so illegally disembarked, and five to 15 days' imprisonment. The Commissioner submits a report (dresse procès-verbal) on the state of each ship. The immigrants are then landed and kept in "isolement" for 10 days. They are then registered, and receive "un bulletin d'immatriculation, que vise leur engagiste, et qui leur tient lieu de passeport à l'intérieur." When pronounced by the surgeon "valides," the immigrants are distributed in groups, care being taken not to separate wives and husbands, or children under 15 years of age and their parents, and

then

then distributed by lot to those applicants who have paid down the costs of introduction. All renewals and cancellations of engagements, all births and deaths, are reported, or should be reported, to the Commissioner, who is supposed to keep up an accurate register of all Indians coming under the Convention.

The position of the labourer on the estate is very obscure. The police seem, however, to have very wide powers of arrest, and as the objectionable system introduced in Mauritius in 1867 was modelled on that of Réunion, we may infer that the vagrancy law of the latter island is very stringent. Consul Segrave says the police may arrest an immigrant and detain him for 24 hours on the vaguest suspicion. The law says the police may arrest for breach of the rules as to "passeports à l'intérieur," but what those rules are is not apparent. An immigrant so arrested should be forwarded at once to his "domicile," but may, in case of necessity, be detained 24 hours.

The question of the livret is also somewhat difficult. Apparently each labourer should possess such a document, and it should show both the terms of his contract and his position under that contract at any moment. In practice, however, such documents have not yet been generally given, notwithstanding frequent remonstrances on the part of the Consul, and promises of reform on the part of the Governor. The employer is also by law bound to give the labourer a half-yearly statement of account, but this clause also seems to have remained a dead letter. For habitual insubordination an immigrant may be returned to the administration and employed "soit dans un atelier public, soit sur une habitation domaniale." The Government, too, may deport any immigrant in the interests of public order.

At the capital of each arrondissement is constituted a "Syndicat Protecteur," consisting of the Procureur Impérial (national), an "avocat" or "avoué" nominated by "the Court," and a municipal councillor nominated by the Governor. This Syndicate is represented in the court of each juge de paix by a Syndic. This protective organisation is empowered to carry on all processes on behalf of immigrants, and may press for cancellation of contracts upon proof of violation by the employer of the provisions of law as to "salubrité et hygiène," or of the express stipulations of the contract. In these cases, however, a warning should be first given to the employer in fault by the Immigration Commissioner. The Syndics are directed generally to watch over the due performance of contracts on both sides. All references are first made to them, and they may be deputed by the Commissioner to visit estates, and may make local inquiries in all cases of complaint. They are instructed to act as mediators between employers and labourers, and to arrange disputes amicably when possible. They report monthly to the Commissioner all complaints made to them, and *visa* the passes of immigrants requiring to pass the bounds of their "circonscription" to lodge complaints with the Commissioner. We have only *ex parte* statements as to the working of this machinery, so perfect in theory. But according to successive Consuls, the Syndics are of little help to the immigrants. Mr. Hay Hill, in his report for 1862, regrets "the facility with which men are sent to the 'atelier,' or as it is more generally called 'macadam,' almost at the discretion of the master, sometimes for the most trivial causes, and with little or no real, strict, and impartial judicial investigation, at least in our sense of the word." And Mr. Hill's *locum tenens* in 1866 illustrates the system in the case of one of his own servants, who was sentenced to three months' imprisonment on no evidence whatever. Consul Segrave repeats the same charge, pointing out that a commissaire de police can send a man to the 'atelier de discipline" for a hundred days almost at discretion. The system "is, however," says Mr. Hill, "applied to all Indians, Caffres, and Malagaches under engagement," and the punishment of the atelier was "inflicted for such acts as could not come under the Penal Code."

There remains the Indian's right to apply to the British Consul, and the successive reports of that functionary contain statements of the number of such complaints. In 1862 there were about 400; in 1863 they were "few"; in 1864, 107; in 1865, 105; in 1866, 268; in 1867, 400. In 1868 they rise to 425, thus classified by the Consul:—

Nature of Claim.	Number of Claims.	Proved.	Dismissed.	Result Unknown.
Non-payment of Wages - - - - -	242	109	93	40
Ill-treatment - - - - - - -	75	16	37	22
Others - - - - - - -	108	40	46	22
Of all sorts - - - - -	425	165	176	84

For 1869 the statement is as follows:—

Nature of Claim.	Number.	Amount.	Recovered.	Lost.	Proved.	Dismissed.	Result Unknown.
		Francs.	*Francs.*	*Francs.*			
Non-payment of Wages	277	39,390	21,634	11,906	–	–	33
Ill-treatment - -	96	–	–	–	15	77	4
Others - - -	142	–	–	–	81	42	19
	515	39,390	21,634	11,906	96	119	56

Captain Segrave remarks on this occasion that the sums claimed do not represent more than 15 or 20 per cent. of the actual arrears; that there was no summary procedure open to an immigrant; that arrears were allowed to run from six months to even three or four years; that the Syndics, being connected with the planting interest, utterly neglected their duties; and that, in fact, the laxity in payment of wages had led to serious outbreaks on three estates, which had to be repressed by armed force.

In 1870 the complaints to the Consul numbered 1,361: 74,671 francs of arrears were claimed in 621 complaints; of this amount 26,389 francs were recovered. The other complaints were thus classified:—

Nature of Complaint.	Number.	Convictions.	Acquittals.	Result Unknown.
Ill-treatment - - - - - -	422	121	56	245
Others - - - - - - - -	308	176	38	94

In 1871 there were 771 complaints to the Consul. Of these 31·9 were for non-payment of wages; 30,649 francs being claimed and 6,530 recovered. There were 230 charges of ill-treatment, in six of which convictions were obtained, and 137 charges of breach of contract with 55 convictions. The results in the remainder, as in 85 cases of "minor claims," were not ascertained. In these last two years the complaint of excessive hours of labour being exacted is distinctly formulated by the Consul.

Manifestly complaints made to the Consul only exhibit the extremest cases. And there is reason to believe that the powers of the police were called into play to prevent access to the Consul, or to punish those who asserted their right. But as the reports are admittedly one-sided, and the Secretary of State has been urged to have the whole question investigated, it will be well not to dogmatise here. The following figures, however, speak for themselves:—In 1868 there were 19,069 committals to gaol, while 10,694 persons were sent to the "ateliers de discipline." That is to say, there were 29,763 cases of punishment out of a population of 180,000. According to Captain Segrave, 75 per cent. of these cases occurred among labourers, and 80 per cent. of the labourers were Indians. He estimates that more than one-third of the Indian population was continually in jail. This must perhaps be taken *cum grano.*

When he has worked out his five years' engagement, calculated as described above, the immigrant can claim a back passage. Considerable delay, however, generally occurs in providing it, and, as we have seen, the Calcutta coolies seldom get forwarded further than Pondicherry. If he chooses to re-engage he obtains a bounty and retains his right to back passage. "Ceux qui à l'expiration de leur engagement justifieront d'une conduite regulière et de moyens d'existence, pourront être admis à rester dans la colonie sans engagement, mais dès ce moment ils n'auront plus droit au repatriement gratuit." According to Mr. Hay Hill, "Though Government sets its face against the settlement of Indians without engagement, there are many instances of Malabars who are well to do, and proprietors of small lands, gardens, and shops." At one time there was some emigration of time-expired labourers to Mauritius, but it seems to have died away. The re-emigration to New Caledonia has already been noticed (Part I.). Nor do the planters look favourably on the Indian immigration. True to their traditions, they would gladly return to the importation of Africans, and among the enclosures of one of Mr. Hill's despatches was an amusing extract from a local French paper denouncing the policy of "perfide Albion," as merely dictated by jealousy of the prosperity (!) of Rêunion, and winding up with a "timeo Danaos."

The figures of mortality are avowedly untrustworthy. Such as they are, I extract them.

In

In 1862,* 709 deaths among 7,993 Bengal coolies, or 88 per mille; in 1863,* 45 per mille of Bengal coolies, and 25 per mille of "Malabars;" in 1864, 200 deaths among 16,465 labourers coming under the Convention, or about 12 per mille. In 1865, the deaths are given as 357 among Calcutta coolies, 135 among "Malabars." In this year the island suffered from the imported "Bombay fever." In 1866, the reported deaths fell to 137 among Calcutta, 49 among Madras coolies. The fever abated in that year. The next year the reported deaths were 131, and in 1868, 210 on an estimated number of 19,402 souls. This, if trustworthy, would give a death-rate of less than 11 per mille, too good to be true. In 1869, the deaths are set down at 287, in 1870 at 211, and in 1871 at 216. Captain Segrave admits the figures to be unsafe, but declares the general health of Indians good.

As to the general well-being of immigrants there is little on record. Captain Segrave, an adverse witness, testifies to the "remarkable physical improvement" visible, and speaks of the "well-dressed, sturdy men" to be seen on Sundays and holidays in the streets of St. Denis. The petty tradesmen and small employers of labour are, he thinks, the worst masters; but the great arrears of wages constitute a real and general grievance, and occasional cases of brutal ill-treatment do occur. We have nothing definite as to the relations of the sexes or the state of education.

CEYLON.

About Ceylon we know little. Indeed, it was only recently that the Government of India was made aware of the importance of the emigration to the colony. The following extracts from a note on the Despatch from the Secretary of State, No. 70, dated 4th July 1872, summarise what information we have on the subject:—

I think, from the constitution of the population of Ceylon, that a Tamil emigration thither must have begun many years ago, and probably never altogether ceased. But a fresh impetus was given to it by the extension of coffee cultivation in 1842 or 1843.

The history of the correspondence between the Governments of India and Ceylon up to 1862 has been given in the first part of the note.

In accordance with the request of the Government of India, the Ceylon Government did forward a copy of the Ordinance No. 11 of 1865, which was recorded without comment. And about the same time a report on the condition of emigrants was furnished. But I have not been able to obtain it.

The Ordinance of 1865 still forms the law which regulates the relations between employer and employed in Ceylon. I may very briefly summarise its chief provisions.

Verbal contracts of service are not to be valid for more than one month. Written contracts may run for three years, but must be entered into in presence of a police magistrate or justice of the peace. Certain officers of Government are, however, empowered to make contracts for five years, and contracts in India are made valid in Ceylon, if valid according to the law of India. (In point of fact, contracts for labour in Ceylon do not appear to be made in India, but in the island.)

Contracts are determinable by mutual consent, or in case the employé is convicted of an offence, or becomes permanently disabled for the completion of the contract. In the latter case, the employer is bound to provide the employé, if his contract be for not less than one year, with the means of returning to his own country. Refusal or neglect to work, without reasonable excuse, drunkenness, disobedience of orders, insolence, gross neglect of duty or other misconduct, or abandonment of service without leave, renders the employé liable to forfeiture of wages due, if not exceeding the wages of one month, and to imprisonment with or without hard labour for three months, on conviction before a police magistrate, provided that no such punishment shall be inflicted if wages are more than a month in arrear. Deserters also may be sent back to work instead of being punished, should the employer wish it.

On complaint by a labourer, the Court may deduct from any sum awarded wages for any time of unlawful absence from work, or the value of breakages or damage done by the labourer.

An employer refusing payment of wages due may, in addition to such payment, be fined 5 *l.* and imprisoned for three months. Wages are made a first charge on the estate. Periods of imprisonment and unlawful absence are not to count towards fulfilment of the term of contract.

Any labourer incapacitated by sickness from labour is "entitled to lodging, food, as well as medical care, at the expense of such employer during such incapacity."

In 1869, Dr. Van Dort, Assistant Colonial Surgeon, took occasion, in submitting a report

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* Mr. Hay Hill gives other figures in a subsequent report, viz. :—

1862 -	- 825 deaths among	10,837.
1863 -	354 „ „	12,900.

report upon the Gampola Civil Hospital, of which he was in charge, to go into the question of the mortality among Tamil immigrants in Ceylon. He quoted from the Ceylon Directory the following figures as those of immigration and return for the years 1843–1867:

Immigrants - - - - - - - - -	1,446,407
Returns - - - - - - - - - -	839,897
Balance to be accounted for - - - -	606,510

Estimating the number of those who had settled in the island at one quarter of a million, there remained a balance of about 350,000 due to mortality, an enormous number of deaths, if accepted as the truth, on a total immigration of less than 1½ million, though spread over 25 years. Dr. Van Dort attributed much of the mortality to the uncleanly and immoral habits of the Tamils. There can, however, be little doubt that his picture is very greatly exaggerated.

His report, together with the remarks of the Emigration Board upon it, was circulated by the Ceylon Government to the district officers concerned. The points especially noticed were, (1) the possibility of improved arrangements along the routes followed by emigrants so as to prevent sickness and mortality *on the journey*; (2) the possibility of introducing a system of rationing by employers on estates, to check the alleged foul-feeding habits of the coolies.

The officers consulted all agreed that the rationing system was uncalled for, Dr. Van Dort's figures not being such as could be accepted as showing the actual mortality. They also point out that considerable efforts had been made to provide proper accommodation, water, and medical attendance along the main route followed by coolies from the coast to the coffee districts. One officer suggested certain improvements in the same direction, which it is not necessary here to particularise. He appends to his letter figures for the years 1860-1869, according to which the arrivals and departures were for that period as follows:—

Arrived:	
Men - - - - - - - - -	491,136
Women - - - - - - - - -	126,912
Children - - - - - - - -	38,432
Total - - -	656,480
Departed:	
Men - - - - - - - - -	393,814
Women - - - - - - - - -	63,383
Children - - - - - - - -	26,176
Total - - -	483,373
Excess of arrivals over departures - -	173,107

But even these figures Mr. Twynam (the officer referred to) does not think altogether trustworthy, while on those for earlier years he places no reliance whatever.

The Planters' Association was also addressed, and letters from the association and several individual planters were elicited. They all indignantly repudiate Dr. Van Dort's conclusions as to excessive mortality. The agents' letters confirm the statements of the association as to the considerate manner in which labourers are treated on the estates. To the letter from the secretary to the association are appended two sets of tables. One set shows the mortality for 1868 and 1869, according to certain returns submitted to Government. These include but 176 estates, and show for these estates a mortality of 36·4 per mille in 1868 and 26·6 per mille in 1869. The second set includes statistics obtained by the association for the same years for 325 estates, and exhibits a mortality of 33·6 per mille in 1868, and 28·0 in 1869. It appears that an Ordinance of 1862 makes the submission of returns of births and deaths binding on the planters, but it seems not to have been duly enforced.

Sir Hercules Robinson took very much the view expressed above as the *sensus communis* of the magistrates consulted. He also described the arrangements made on the route followed by immigrants, and showed that the improvement of the system, where possible, had the attention of the Colonial Government. Lord Kimberley did not press the point of rationing *on estates*, but suggested that something might be done towards

supplying

plying food *upon the road.* The Colonial Government, however, was strongly opposed to this as unnecessary, and likely to lead to gross abuses. But orders were issued to secure the supply of sufficient food to convalescents to enable them to reach the districts where they could bring their labour to market. Sir H. Robinson was not equally satisfied with the medical aid supplied to coolies *on estates*, and steps have been taken to remedy this defect.

OTHER COLONIES.

For the Straits Settlements we have no detailed information. Such particulars as have been received about St. Croix will be found in the first Part; few Indians, if any, are now left on that island. As to the French colonies of Guadeloupe, Martinique, and Cayenne, the Government of India is absolutely ignorant of the condition of Indian emigrants there.

New Caledonia - 57

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